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43.1647.





THE LIFE OF

James Oglethorpe

BY

THE
HISTORY
OF THE
CHURCH OF SCOTLAND,
FROM THE
Reformation to the Present Time.

BY
THOMAS STEPHEN,

RED. LIBRARIAN, KING'S COLLEGE, LONDON;

AUTHOR OF "THE BOOK OF THE CONSTITUTION;" "THE GUIDE TO THE MORNING AND EVENING SERVICE
OF THE CHURCH OF ENGLAND," ETC. ETC.



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HISTORY

OF THE

CHURCH OF SCOTLAND.

CHAPTER XVI.

GENERAL ASSEMBLIES.

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1639.—THE COVENANTERS “published bitter invectives against the bishops and the whole government of the church, which they were not contented to send only into England, to kindle the same fire there, but with their letters sent them to all the reformed churches, by which they raised so great a prejudice to the king, that too many of them believed that the king had a real design to change religion, and to introduce popery. . . . So that by this means, and the interposition of all those of that nation who attended upon his majesty in his bed-chamber, and in several offices at court, who all undertook to know, by their intelligences, that all was quiet, or would speedily be so, his majesty . . . hardly prevailed with himself to believe that he could receive any disturbance from thence, till he found all his condescensions had raised their insolence, all his offers rejected, and his proclamation of pardon slighted and contemned, and that they were listing men towards the raising an army, under the obligation of their covenant, and had already chosen COLONEL LESLIE, a soldier of that nation, of long experience and eminent command under the king of Sweden, in Germany, to be their general, who being lately disobliged (as they called it) by the king, that is, denied somewhat he had a mind to have, which to that people was always the highest injury, had accepted of the command. Then at last the king thought it time to resort to other counsels, and to provide force to chastise them who had so much despised all his gentler remedies¹.”

On the dispersion of the late Assembly the members intimated its conclusions to all parts of the country; but the authorities of the King's College, at Aberdeen, sharply rebuked

¹ Clarendon's History of the Rebellion and Civil Wars, i, 183-184.

Mr. Lundin, their commissioner, for remaining and deliberating in the Assembly after it had been dissolved by the king's commissioner. That loyal body farther made an act, that when the Assembly's committee for the visitation of their university should appear, their gates should be shut against them; and that none of their members should acknowledge their authority, under pain of deprivation¹.

On the 9th of January, the chiefs of the covenanters sent Mr. George Winram, of Libberton, an advocate, with the Assembly's letter to the king, which was read in the Scottish council at London on the 15th; to which his majesty replied, that for the better settling of Scottish affairs, he would be at York by the 1st of April, and would summon his Scottish council to meet him there, and give him their advice. "Notwithstanding hereof," says bishop Guthry, "the noblemen and ministers that remained at Edinburgh, and had the leading of the business, professed to have intelligence that the king intended nothing but war, and was using his endeavours to raise an army wherewith to invade this land; and upon that ground (albeit as yet there was no answer from Mr. Winram, who returned not before the 21st of March) they called a general meeting of noblemen and of commissioners from the other estates, to meet at Edinburgh upon the 20th of February, *for resolving upon a defensive war*²." Of the Assembly's letter, however, which his council declared to be "most humble and well-penned," the king said, "We confess we were amazed at, and aggrieved with their horrible impudence, expressed in their last petition sent unto us, in which they did invoke the name of God, calling him not only as a witness, but as an approver of their actions; at their pretended assurance of our justification of them all, when they undoubtedly know that we do abhor and detest them all, as rebellious and treasonable; at their shameless asseveration of their confidence that their neighbour churches will approve all their proceedings; that they are afraid they should be thought to have offended in nothing so much as in lenity, when they have proceeded to the deposition and excommunication of the bishops and others their opposers, which is the utmost of that power which ever any church did yet challenge to itself; and many more such audacious untruths, which, after we once heard read, we resolved never to answer, and now do answer it only thus—That in the main points of it *there is not one true word*; to say nothing of the boldness of this petition, which expecteth our

¹ Stevenson's Church and State, 353.

² Guthry's Mem. 43-44.

answers in such terms, as it doth not only seem to *require* our *approbation* of their wicked proceedings, but almost to *command* it; and, lastly, it is subscribed only by the hands of the moderator and clerk of the Assembly, as if it were an ordinary citation served upon the meanest subject of that our kingdom. And, besides all these, we would know what ecclesiastical Assembly, just or pretended, did ever use any coercive power but that which was ecclesiastical; viz. suspension, deprivation, degradation, or excommunication. But this pretended Assembly hath, besides all these, enforced her acts with *arms*, and all manner of *violence*, both against the persons and fortunes of such as do not agree unto them, but continue loyal unto us¹."

But the chiefs of the Covenanters had now gone too far to recede, or even to remain inactive. They therefore spread abroad a false and malicious report, that the king intended to invade the kingdom with English troops: upon this ground they summoned a meeting, or convention, of the noblemen and commissioners of burghs, to meet at Edinburgh on the 20th of February. At this convention a paper was read, which had been drawn up by Balmerino, Hope (the king's advocate), and Henderson (moderator of the late Assembly), recommending an appeal to arms, and using such arguments for its justification as tended to inflame the passions and prejudices of the meeting. The reasons adduced were declared to be so convincing, to men whose minds were previously made up, that "instantly all of them, with one voice, consented to the listing of an army, and voted general Leslie to be the commander thereof." The reasons which had been submitted to the convention, and had been found so convincing to them, were immediately published and dispersed to all parts of the kingdom, and the convention ordained, that every minister should read this treasonable document from their pulpits, and frame their discourses so as to procure an universal consent amongst their parishioners².

LESLIE accepted the command, and his first commencement of hostilities was the capture of Edinburgh Castle, which was yielded by Haldon, the constable, without any resistance, as there were neither troops nor provisions in it; an unaccountable oversight, if it was not a designed treason, on the part of the late commissioner. The following day he took possession of Dalkeith, a castle then belonging to the king, and in which he had deposited a considerable quantity of gunpowder and military stores, which he had sent from London, under the

¹ Large Declaration, 417-418.

² Guthry's Memoirs, 44.

charge of lord Traquair, treasurer of the kingdom. In this castle they found the regalia, the crown, sceptre, and sword of state, which they immediately removed to the castle of Edinburgh¹. Bishop Guthry affirms, that the capture of Dalkeith was under the advice and recommendation of the earl of Traquair, one of his majesty's ministers—"His lordship was so unfortunate, that very shortly it came to be believed that himself was the man that put the general upon the prize²." The Covenanters also got possession of Dumbarton Castle, whilst its governor reposed in that security which he supposed consistent with a state of external peace and internal loyalty. It was well garrisoned and victualled, and Sir William Stuart, the governor, was a man of loyalty and vigilance. On a day which the Covenanters had appointed for one of their days of fasting, Sir William had gone to church in the town of Dumbarton with his principal officers, and on their return they were made prisoners by Semple, the provost, and the laird of Ardingrapp, when the few troops remaining in the fortress being dispirited by the capture of their governor and officers, yielded at the first summons. This strong hold was committed to the earl of Argyle, who occupied it with a strong body of his followers³. Stirling Castle was under the command of the earl of Mar, and who, being "a sure friend to the reformers," betrayed his trust, and held it against the king for the insurgent Covenanters⁴.

Thus, before Charles had begun to arm or to make any preparations for war, the Covenanters had taken the initiative, and had obtained possession of all the strong holds of the kingdom. This emboldened them, and drew many of the waverers to their standard, and equally depressed the loyal part of the nation, who, though they constituted the great majority of the people, yet remained quietly at their homes looking on the passing triumphs of the Covenanters with fear and amazement. In the meantime, however, the loyal citizens of Aberdeen began to construct barriers, and to throw up some hasty fortifications on the south entrances to the town, under the direction and command of the marquis of Huntly, whom the king had appointed his lieutenant in the north. "Aberdeen," says Mr. Napier, "was an oasis in the desert. The arts of insurgency had been so successful throughout the rest of Scotland, as to create a specious but false appearance of national feeling in favour of the covenant. Here, however, all that was rational,

¹ Stevenson's Church and State, 364.

² Guthry's Memoirs, 45.

³ Balfour's Annals, ii. 321-323.

⁴ Stevenson's Church and State, 364.

well-ordered, and estimable, was yet actually predominant. Blasphemy did not pass current for piety, nor the darkling and destructive ravings of fanaticism for the out-pourings of gifted and enlightened minds¹."

When the energy of the citizens of Aberdeen was reported to the Tables, they, with the concurrence of their commander-in-chief, despatched the earl of Montrose with power to levy the feudal array of Fife, Strathern, Angus, and Mearns, and to suppress the loyal inhabitants of that city. The fame of Montrose preceded him, and on his approach, the marquis of Huntly retreated towards his own territories, and the citizens, thus left to their own resources, were obliged to surrender unconditionally on the 30th of March. Montrose ordered them immediately to fill up their trenches, to level their defences, and to deliver up all their munitions of war. A heavy fine was also imposed, but which Montrose had the magnanimity to remit. The true spirit of the covenant was here displayed; and "*some fiery ministers* that attended him urged no less than that they should *burn the town*, and the soldiers pressed for liberty to plunder it; but he was more noble than to hearken to such cruel motions, and so drew away his army without harming them in the least." He pursued the marquis of Huntly, and made him prisoner in his own house; and although he himself agreed to all the terms of the Covenanters, yet his sons, the gallant lord Gordon and lord Aboyne, refused to be included in their father's submission, and made their escape. On his return to Aberdeen, Montrose compelled the citizens to subscribe the covenant with the Assembly's declaration, under pain of confiscation of their goods. At first they resisted, under plea of conscience; but rather than suffer for conscience sake, they complied on the 10th of April; and on the 15th they sent commissioners to the Tables at Edinburgh. On the approach of the Covenanters, Adam Bellenden, the bishop of Aberdeen, and some of the professors of the university, with a few "of the most malicious of the burgesses," took shipping, and sought shelter in England from that puritanical persecution which was brought to their doors². At that time, Dr. John Forbes, of Corse, and son of the late bishop, Dr. William Leslie, principal of King's College, of the same family as the famous non-juror Charles Leslie, and Dr. Alexander Scroggie, Dr. Robert Baron, professors of divinity, Drs. James Sibbald and Alexander Ross were the city clergymen. These men were the

¹ Montrose and the Covenanters, i. 173,

² Stevenson's Church and State, 365.—Guthry's Memoirs, 45, 46.

butts of covenanting malignity and persecution, because they had faithfully ministered the doctrine and sacraments, and the discipline of Christ, as the Lord had commanded, and as the church and realm of Scotland had received the same—they had with all faithful diligence banished and driven away all erroneous and strange doctrines contrary to God's word, and used both public and private monitions and exhortations, as well to the sick as to the whole, within their cures—they were diligent in prayers and reading of the holy Scriptures, and in such studies as helped to the knowledge of the same, laying aside the study of the world and the flesh—they were diligent to frame and fashion themselves and their families according to the doctrine of Christ, and made themselves wholesome examples and patterns to their flocks—and moreover, they maintained and set forward quietness, peace, and love, among all christian people, but more especially among those committed to their charge¹. With such antagonists as these it is not surprising that Henderson, Cant, and Dickson, surnamed "the three apostles of the covenant," had been worsted the preceding year; and Rutherford complained that he had not even been able to gain a single adherent in that city.

In April and May this year, says Balfour, "the Covenanters did raise a very gallant army, esteemed to be betwixt twenty-six and thirty thousand horse and foot, of which they made sir Alexander Leslie of Balgoney, knight, general. They marched with flying colours to Dunse Law in the Merse, and pitched their tents in face of the king and his army, who were encamped on the south side of the Tweed, at a place called the Birks, some three miles from Berwick up the river, with a far less army (for he was not twelve thousand men, horse and foot), of which Thomas, earl of Arundel and Surry, was general²." During all this interval the fortifications were undergoing repair with the utmost dispatch, and the sea defences were strengthened and planted with heavy ordnance. All the little towns along the south coast of Fife were also fortified hastily, and placed in a tolerable state of defence. Thus, by the activity of the chiefs and the fanatic zeal of the people, the Tables had laid their grasp on the whole strength of the kingdom, while the king, as if stricken with judicial blindness, was vainly endeavouring, by concessions and negotiations, to win them back to their duty and allegiance.

Their preparations, however, at last forced the disagreeable truth upon the king's unwilling consciousness; and when he

¹ Vows of a Priest at his Ordination.

² Annals, ii. 324.

could no longer conceal it, he made the indignities which he had sustained in Scotland known to his English privy council. He made it known in England by proclamation that the Covenanters were in arms, and that it was his intention to levy an army, and suppress the rebellion of his Scottish subjects. So little were the affairs of Scotland known or cared about by the English, that Clarendon says this was the *first* time that the government or people of England had heard of the proceedings in the north. The king now hastily collected an army, and placed it under the command of the earl of Arundel, "a man who had nothing martial about him but his presence and his looks, and therefore was thought to be made choice of for his negative qualities." The earl of Essex, a most popular nobleman, was made lieutenant-general of the army, whose principal quality seems to have been, "hatred and contempt of the Scots." The earl of Holland was entrusted with the command of the cavalry. With his usual infatuation, Charles gave the marquis of Hamilton the command of a squadron of ships, in which were embarked a division of three thousand infantry, for the purpose of distressing the trade of the Scottish towns, and of landing where opportunities offered to make diversions in favour of the grand army. The only military exploit which is worthy of commendation is the forced march of the earl of Essex, at the head of a small party of horse and foot, to secure the town of Berwick, which is the eastern key of the kingdom. During his march he daily met with Scottish nobles and gentry, on the way to court, who communicated the most false and exaggerated intelligence of the advance and strength of the rebels, their superior discipline, and the excellent quality of their troops. And even when he was within one day's march of Berwick, a nobleman high in the king's confidence met him, and advised him earnestly "not to advance farther with his party, which was so much inferior to those of the enemy that it would infallibly be cut off; that he himself overtook the day before a strong party of the [covenanting] army, consisting of three thousand horse and foot, with a train of artillery, and which he had left within three hours' march of Berwick, where they resolved to be the night before, so that his proceeding farther must be fruitless, and expose him to inevitable ruin." These discouraging reports were intended to stop the royal party in their march, so that the Covenanters might secure Berwick before the royalists could reach it; but, with the true spirit of a faithful soldier, such strategy only accelerated his speed, and increased his anxiety to complete his march. When he came to Berwick the gates were opened

without any attempt at opposition ; and he found that the Covenanters had no forces nearer than Edinburgh. The same nobleman who had attempted to deceive the earl of Essex reported to the king the total defeat of that commander, and that the Covenanters were in possession of Berwick. Such were the arts which the king's false friends practised on him, and his infatuation was so great, that when he discovered this treachery it excited no suspicion in his breast, and he merely remarked, after receiving true information from Essex's despatches, that the covenanting lords' fears had multiplied his sight ; " which remissness, to call it no worse, was an ill omen of the discipline that was likely to be observed ¹."

" If the war," says Clarendon, " had been now vigorously pursued, it had been as soon ended as begun ; for at this time they had not drawn three thousand men together in the whole kingdom of Scotland², nor had, in truth, arms complete for such a number, though they had possession of all the king's forts and magazines, nor had they ammunition to supply their few fire-arms. Horses they had, and officers they had, which made all their show. But it was the fatal misfortune of the king, which proceeded from the excellency of his nature and his tenderness of blood, that he deferred so long his resolution of using his arms ; and after he had taken that resolution, that it was not prosecuted with more vigour." In order to avoid shedding his subjects' blood, he contented himself with an ostentatious pomp of preparation, thinking that the rebels would return to their duty on hearing of the mighty army which he had collected, without risking a contest with such superior numbers. But his privy councillors were in regular communication with the Tables, and conveyed to them all Charles's designs and intentions, so that they were always able to meet and counteract his efforts for their subjugation. He went northward, with almost the whole nobility of England in his train, thinking to awe the rebels into submission without the effusion of blood ; but the progress was more illustrious than the march, and the soldiers were the least part of the army. " If," says Clarendon, " there had been none in the march but soldiers, it is most probable that a noble peace would have quickly ensued, even without fighting ³."

The court and the army reached the border, and encamped in a field called the Birks, about two miles westward from Berwick, on the right bank of the Tweed, and the king lodged in his tent in the camp. Here the king issued a proclamation,

¹ Hist. of the Rebellion, i. 187—189.

² A mistake, vide p. 7.

³ Hist. of Rebellion.

stating that he anxiously desired peace, and promised that, upon demonstrations of obedience, his majesty was ready to grant their reasonable petitions. He, however, commanded their army not to come within ten miles of the royal standard, as their nearer approach would be construed into a declaration of their intention to invade the king's person and the realm of England. But general Leslie advanced his head quarters to Dunse, on the 31st of May, and encamped on the southern slope of a small conical hill called Dunse-Law, where law and justice used to be dispensed. In this advantageous position he was not more than seven miles distant from the royal camp, and of course had infringed the king's proclamation, and must be held as intending "to invade the king's person and the kingdom of England." In fact, it was partly to prevent an invasion of the kingdom of England that the king had drawn his small army to the borders; and in justification of his own proceedings, he said, "They go about to persuade our good subjects that we intend an invasion of that our kingdom: but they must have a great power over the faith of such as they can make believe that a king would invade his own kingdom! Invasions made by princes of other princes' dominions have been usual; but for a prince to invade his own kingdom is a prodigious untruth. But they tell our people that we are coming thither attended with English troops: we wonder if they should be afraid of them whom our people in their pulpits and elsewhere have been made believe were all of their own party, and would take arms with them in their defence against us. But the truth is, these English troops go along to *secure their own kingdom of England from invasion by them which they have so frequently threatened*; and if, for the securing of our person, they should offer themselves to be our guard wheresoever we go, what do they else but shew themselves to be true and loyal subjects, and lay an obligation on us to continue in our breast that full assurance of their loyalty and fidelity towards us, of which we have always, by unanswerable demonstrations, been fully persuaded; as also upbraid the disloyalty of many of our subjects of that our native kingdom, amongst whom they are loath to trust us without offering their persons to be our guard?"¹

The earl of Holland was despatched with a division of the army, consisting of 3000 horse and 2000 infantry, with some artillery, to assault the Scots; but the Covenanters presented such a good front, and their numbers besides being so much

¹ Large Declaration, 421, 422.

superior, his lordship did not think it prudent to attack them, and he therefore drew off his men, and retreated to the royal camp¹. In the meantime, the marquis of Hamilton, who might have made a powerful diversion in the rear of the rebels, lay quietly in Leith Roads, without landing the division of the army which was on board his fleet, or giving them the slightest disturbance. But the suspicion of treachery is strongly allied to this nobleman's name. He was in communication with the Tables, and had a secret interview with the insurgent chief, the lord Loudon, at midnight, a little below Queensferry, where his neutrality, if not his active co-operation, was secured. Lord Holland's retreat served the Covenanters as effectually as if they had gained a victory; yet, from the secret information which their chiefs received from the traitors in the royal camp, they discovered the king's weakness, and above all his private intention to avoid bloodshed if possible. Both armies remained inactive till the 6th of June, when the earl of Dumfermline arrived at the royal camp with the following petition. "The Scots," says Clarendon, "from the beginning, practised a new sturdy style of address, in which, under the license of accusing the counsel and carriage of *others*, whom yet they never named, they bitterly and insolently reproached the most immediate actions and directions of *his majesty himself*; and then made the greatest professions of duty to his majesty's person that could be invented. The king had not at that time one person about him of his council who had the least consideration of his honour, or friendship for those who sat at the helm of affairs, the duke of Lennox only excepted²." Besides, the rebel army was superior not only in numbers but in the quality of their officers, and reckoned more than 24,000 men, horse and foot; whereas there were not 20,000 men present with the royal standard. "It was, therefore," says Stevenson, "the business of the English to endeavour by all means to avoid deciding the quarrel by arms; the loss of a battle would have sunk the king's credit exceedingly³."

"To the king's most excellent majesty,—

"The humble petition of his majesty's subjects of Scotland, humbly sheweth, that whereas the former means used by us hath not been effectual for recovering your majesty's favour, and the peace of this your majesty's kingdom, we fall down again at your majesty's feet, most humbly supplicating

¹ Clarendon's Rebellion, i. 193.—Stevenson's Church and State, 372, 373.—Nelson's Impartial Collection, p. 231.

² Hist. of the Rebellion, i. 199.

³ Church and State, n. 375.

that your majesty would be graciously pleased to appoint some few of your majesty's many worthy men of your majesty's kingdom of England, who are well affected to the true religion and common peace, to hear by some of us of the same affection, of our humble desires; and to make known to us your majesty's gracious pleasure; that as, by the providence of God, we are here joined in one island and one king, so, by your majesty's great wisdom and tender care, all mistaking may be speedily removed, and the two kingdoms may be kept in peace and happiness under your majesty's long and prosperous reign; for the which we shall never cease, as becomes your majesty's faithful subjects, daily to pray for your majesty's long and happy reign over us¹."

This petition was graciously received, and the earl of Dumfermline was sent back with a safe conduct under the royal sign manual, for the earl of Rothes, the lord Loudon, and sir William Douglass of Cavers, to meet with the royal commissioners in the earl of Arundel's tent. His majesty having considered the petition, directed Mr. Secretary Cook to return the following benevolent answer:—"That whereas his majesty hath published a gracious proclamation to all the subjects of Scotland, whereby he hath given them full assurance of the free enjoying both of the religion and laws of that kingdom, as also a free pardon upon their humble and dutiful obedience; which proclamation hath been hitherto hindered to be published to most of his majesty's subjects; therefore his majesty requireth, for the full information and satisfaction of them, that the said proclamation be publicly read. That being done, his majesty will be graciously pleased to hear any humble supplication of his subjects."

Sir Edmund Verney was despatched to the rebel camp to see that this proclamation was really and properly read; and having reported that it was legally read in their camp, the earl of Dumfermline returned with him to the royal camp, and was the bearer of a petition beseeching his majesty to vouchsafe them a favourable answer; and Mr. Secretary Cook replied, "His majesty having understood of the obedience of the petitioners in reading his proclamation as was commanded them, is graciously pleased so far to condescend unto their petition as to admit some of them to repair to his majesty's camp on Monday next, at eight of the clock in the morning, at the lord general's tent; where they shall find six persons of honour and trust, appointed by his majesty, to hear their desires."

¹ Balfour's Annals, ii. 325.

These met on the 11th of June, in Arundel's tent, with the duke of Richmond, the marquis of Hamilton, the earls of Arundel, Holland, and Essex, with sir Henry Vane and sir Joseph Cook; but the principal business of that day was a sumptuous dinner, at which the earl of Arundel entertained the commissioners. The king came suddenly into the tent, and having taken his seat, told the Covenanters that he had heard they complained that they could not be heard, and he had therefore now come in person to hear their complaints. Lord Rothes made the most vehement protestations of loyalty, and the lord Loudon began to apologise for their former actions; but the king cut him short by saying, that if they came to sue for grace, they should set down their desires in writing, and they should have a written answer. They accordingly withdrew, and returned with a long paper; but for which the following brief memorandum was afterwards substituted:—
“Memorandum, 1. That our desires are only the enjoying of our religion and liberties, according to the ecclesiastical and civil laws of his majesty's kingdom. 2. To clear by sufficient grounds that the particulars are such, we shall not insist to crave any point which is not so warranted. And we humbly offer all civil and temporal obedience to your majesty which can be required or expected of loyal subjects.

(Signed)

“LOUDON¹.”

On the 13th, when they met again, the Covenanter commissioners were accompanied by Mr. Henderson the moderator, and Johnston the clerk of the late Assembly. It is somewhat singular, that Henderson, who had objected to the bishops for having engaged in secular affairs, should thus engage himself in both a military and a political occupation; both of which were unbecoming his profession and station. The king condescended to appear again personally at the second meeting; when the commissioners had the honour of kissing hands, and of being again hospitably entertained by the English general. The king caused Secretary Cook to read and deliver the following answer to the paper left by the covenanting lords the previous day:—“That if their desires be only the enjoying of their religion and liberties, according to the ecclesiastical and civil laws of his majesty's kingdom of Scotland, his majesty doth not only agree to the same, but shall always protect them to the uttermost of his power: and if they shall not insist upon any thing but that is so warranted, his majesty will most willingly and readily condescend thereunto: so that in

¹ Nalson's Collection, 233-238.

the meantime they pay unto him that civil and temporal obedience which can be justly required and expected of loyal subjects." On the third and last meeting, which was on Monday, the 19th of June, the following articles were agreed to, and signed by the king, and also by the commissioners :—

1. The forces of Scotland to be disbanded and discharged within twenty-four hours after the publication of his majesty's declaration, now agreed upon.
2. His majesty's castles, forts, and ammunition of all sorts, and royal honours, to be delivered after the publication, so soon as his majesty can send to receive them.
3. His majesty's ships to depart presently after the delivery of the castles with the first fair wind, and in the meantime no interruption of trade or fishing.
4. His majesty is graciously pleased to cause to be restored all persons, goods, and ships, detained or arrested since the first of December last past.
5. There shall be no meetings, treaties, consultations, or convocations, of our lieges, but such as are warrantable by acts of parliament.
6. All fortifications to desist, and no further working thereon, and they be remitted to his majesty's pleasure.
7. To restore to every one of our good subjects their liberties, houses, lands, goods, and means whatsoever, taken and detained from them by whatsoever means, since the foresaid time.
8. The Assembly to be indicted to the 6th of August, and parliament to begin the 20th of the same month¹.

Although Balfour says the marquis of Hamilton was present, yet lord Clarendon affirms he arrived some hours *after* the treaty was signed; which, he says, "was very convenient to him; for thereby he was free from the reproach that attended it, and at liberty to find fault with it; and which he did freely to the king and some others, whereby he preserved himself in credit, *to do more mischief*²." Next day the royal army was disbanded. The king kept his court at Berwick until the middle of July, but sent the earl of Traquair to Edinburgh, to prepare for the ensuing parliament and Assembly, at both of which the king himself proposed to be present. The Lyon-king-at-arms was sent into the Covenanters' camp with a proclamation, in which it was stated, that "although the king could not ratify the acts of the pretended Assembly at Glasgow . . . yet such is our gracious pleasure . . . we are pleased not only to confirm and make good whatever our commissioner hath granted and promised in our name, but also . . .

Balfour's Annals, ii. 327, 328.—Nelson's Collections, 234-236.

² History of Rebellion, i. 202.

to declare and assure that, according to the petitioners' humble desires, all matters ecclesiastical shall be determined by the assemblies of the kirk, and matters civil by the parliament, and other inferior judicatories established by law; which assemblies shall be kept once a year, or as shall be agreed on at the General Assembly¹." The more the king conceded, the more dissatisfied the covenanting chiefs became; and the earl of Cassilis offered the Lyon a protest after reading the proclamation, which he refused to receive. The king then sent him post to Edinburgh, to read the proclamation there, which he did at the Cross with great solemnity, assisted by the magistrates. Here again the earl of Rothes, with all the other Table chiefs, were ready to protest that "they did adhere to the Assembly of Glasgow in so far as was communioned betwixt his majesty and the commissioners in his majesty's camp, at the Birks-on-Tweed²." This perverseness is the more singular, inasmuch as Rothes, Loudon, and Henderson, "in the name of all the Covenanters, gave his majesty most humble thanks for the gracious answer he had given their petition, in his Declaration³."

The Covenanters discharged the raw undisciplined part of their army, but retained all their experienced and veteran officers, with the better-disciplined part of their troops, and kept them on full pay. Besides this act of bad faith, they prosecuted all the loyalists, and those who had either not signed or had slackened in their zeal for the covenant; and they continued the false charges and condign penalties against the exiled prelates. This last resolution was adopted in consequence of the king having remitted a paper to the Tables containing eighteen "grievances," or remonstrances, against their bad faith and non-fulfilment of the agreement at Birks; the tenth and eleventh of which are, "Why seditious *ministers*, who in their sermons preach seditiously, are not taken order with? Why our good subjects are *deterred* and *threatened*, if they should come home to their own native country and houses?" Answers to the articles were sent, but in a tone very unbefitting the extreme humility which they affected, and very unbecoming loyal and obedient subjects to their lawful sovereign. To these it was answered—"We know no such seditious ministers; and when any ministers, alleged seditious, shall be called before the judge ordinary, they shall be punished according to justice." To the eleventh—"We know

¹ Balfour's Annals, ii. 330.

Ibid. 333.

² Nalson's Collection, p. 237.

none of his majesty's good subjects who are now deterred or threatened, nor do we allow that any should be troubled; and if any fear themselves, there is an ordinary way in justice which they may use; and if under the name of good subjects is meant excommunicated persons [the bishops to wit], who by the laws of this country should be rebels, and caption used against them, which has been desired by the kirk and country, and refused, and who also are the authors of all the evils that has come upon this kingdom, none can give assurance for their indemnity, who stand thus guilty and odious to the people." They renewed all their former menaces against the prelates by proclamation, and imposed grievous penalties upon whosoever should assist or shelter any of them in their houses: "so that by the time the king came to London, it appeared plainly that the army was disbanded without any peace made, and the Scots in more reputation and equal inclination to affront his majesty, than ever. Upon which a paper published by them, and avowed to contain the matter of the treaty, was burned by the common hangman; everybody disavowing the contents of it, but nobody taking upon him to publish a copy that they owned to be true¹."

The castle of Edinburgh was delivered up to the marquis of Hamilton on the 22nd of June, who gave the command of it to General Ruthven, who found the marquis of Huntly and his son in it, and set them at liberty, and the royal navy returned to England. The honest and well-disposed part of the nation now hoped that the rebellion was at an end, and that affairs would be conducted, as formerly, by the royal authority; but nothing was farther from the intention of the Covenanters. A well-planned accident broke the terms of the pacification; for as general Ruthven and lord Kinnoul were walking in the street, "the devout wives (who at first put life in the cause) did now (when it was in danger of being buried) restore it again, by invading them, and throwing stones at them." This assault on the king's servants was privately arranged by those who dared not appear in such an infamous affair, for, as Guthry observes, "those women used not to run unsent." Lords Loudon, Lothian, and Montrose, were despatched to Berwick to explain and excuse it; and returning, brought an order from his majesty, requiring fourteen noblemen and gentlemen to repair to Berwick, to consult with them respecting the ensuing Assembly and parliament. As they were themselves so full of trick and subterfuge, they were suspicious of

¹ Balfour's *Annals*, i. 331-339.—Clarendon's *Rebellion*, i. 203.

his majesty's honour, and some of the double-dealers in his court had written to their friends that it was the king's intention to make them all prisoners; a piece of treachery which was altogether abhorrent to his majesty's disposition. The party who had been summoned, however, made *as if* they would go, but privately they had organised a riotous assemblage of the "pious women" and their husbands, who had been prompted to accuse the king of designed treachery, and meeting the party at the water-gate on the commencement of their journey, riotously compelled them, nothing loath, to return to their homes. This was just the pretence which they wanted, and accordingly the lord Loudon was despatched to Berwick, to state how they had been *forcibly* detained, and to apologise for not waiting on his majesty at all. His majesty was so disgusted at their low cunning and disrespectful carriage, and so indignant at their unworthy distrust of his royal word, that he would not attend the parliament, but set out post for London on the 29th of July. The Covenanters raised a mighty clamour against the king, as if he had been guilty of a very heinous sin, and the whole of the alleged plot was charitably ascribed to the advice of archbishop Laud¹. Nalson says, that at the late interview the king entirely gained Montrose to his party and interest, and much softened the lords Lothian and Loudon, from whom he penetrated the determination of the Covenanters to repeal all former acts of parliament for the establishment of episcopacy, and to alter the established form of introducing bills into parliament through the lords of the Articles².

As soon as the pressure from without was removed, the worthy citizens of Aberdeen returned to their duty and allegiance, and publicly renounced the covenant, which had been forced upon them at the point of the sword. The lord Aboyne also had collected a small body of his father's tenants, to the amount of two thousand foot and about three hundred horse, with which he came to the assistance of the loyal citizens. The treachery of a colonel Gun, under the private advice of the marquis of Hamilton, gave Montrose an easy victory at the bridge of Dee, which laid the city at his feet. Some covenanting ministers, who hovered like birds of prey round the armies, were very urgent that the town should be burnt, and given up to military pillage; but which Montrose's humanity

¹ Guthrie's Mem. 52-53.—Stevenson's Church and State, p. 386.—Balfour's Annals, ii. 340-345.

² Nalson's Collections, p. 244.

sternly prohibited, to the regret of principal Baillie, and which Mr. Napier calls "the characteristic longing of a clergyman of the covenant" for the blood of its enemies, for "that country's malicious *disloyalty* ¹." Montrose now disbanded his forces, and retired to his own house, where he remained for some time, and where he had leisure to reflect on his own hitherto disloyal conduct, which had exalted the cause of the rebels more than any of their other successes.

Before Charles's departure from Berwick it was necessary to appoint a commissioner to the Assembly and parliament; he never doubted but that both these courts would confirm the acts of the Glasgow Assembly, and it seems he at one time entertained some thoughts of not allowing them to meet. But the specious reasons which Traquair advanced made some impression on the king's mind, and determined him to allow the meeting. Traquair said, "that let the next parliament do what it would, there were still good grounds to introduce episcopacy whenever the king was able to carry it; for bishops being (by all the laws of Scotland) one of the three estates of parliament, *no act that passed without them could have force in law*, much less the act that abolished them, especially when they were not appearing, nor consenting, *but protesting against it*." This reasoning partly allayed the king's fears, and he urged the marquis of Hamilton to accept the office of commissioner, which "he wisely declined;" and therefore Traquair was appointed to represent the king's person at both the meetings, and the following instructions were given him, dated Berwick, July 27, 1639 ².

Lay-elders to be admitted as members, but not to be allowed to vote in fundamental points of religion.—To make the Assembly sensible of the king's condescension in convoking it, and of his prohibiting the bishops from attending as constituent members of it.—To prevent all questions about the last Assembly, and whatever shall be done in ratification, our will is, that you declare the same to be done as an act of this Assembly, and that you consent thereto only upon these terms, and no ways as having relation to the former Assembly.—To shun all disputes about the king's power, either to call or to dissolve Assemblies.—To declare the king's disposition, for the people's full satisfaction, to remit episcopacy and the estate of bishops to the freedom of the Assembly; but without respect to the last Assembly.—To be done without warrant from the bishops,

¹ Napier's *Montrose and Covenanters*, ch. viii.—Guthry's *Memoirs*, 49.

² *Nelson's Collections*, i. p. 245.

and not as if episcopacy was unlawful, but only for satisfaction to the people, and for settling the present disorders. The Assembly is not to meddle with any thing that is civil, or hath been established by act of parliament.—“We will not allow of any commissioner from the Assembly, nor any such act as may give ground for continuing of the Tables or Conventicles. If episcopacy be abolished, the king to have the power of choosing fourteen ministers to represent the fourteen bishops in parliament; or if that cannot be, that fourteen others whom he shall present be agreed to, with a power to choose the lords of the articles for the nobility for this time, until the business be farther considered upon.—We allow that episcopacy be abolished for the reasons contained in the Articles; and the covenant, 1580, for satisfaction of our people, to be subscribed, provided it be so conceived that thereby our subjects be not forced to abjure episcopacy as a point of popery, or contrary to God’s law or to the protestant religion; but if they require it to be abjured as contrary to the constitution of the church of Scotland, you are to give way to it rather than to make a breach.—After all Assembly business is ended, and immediately before prayers, you shall, in the fairest way that you can, protest that in respect of his majesty’s resolution of not coming in person, and that his instructions were upon short advertisement, whereupon many things may have occurred, wherein you have not had his majesty’s pleasure, and for such other reasons as occasion may furnish, you are to protest, that in case any thing hath escaped you, or hath been condescended upon in this present Assembly prejudicial to his majesty’s service, that his majesty may be heard for redress thereof, in his own time and place¹.”

These instructions were dated at Berwick, the 27th of July, by which the king vainly hoped he would soften the rigid tempers of the Covenanters, and disarm them of their hostility; but in this his majesty was greatly mistaken. They very soon shewed that they were incapable of being satisfied or conciliated by the king’s condescension, and that all his concessions only led to further and higher demands. For, says Nalson, “the ink was scarce dry which had written the articles of the accommodation, before they had broken it in almost every particular; for though they dissolved their camp, yet they did not disband their army, for they marched away and kept in great bodies, contrary to the first. The Tables continued to sit and act, alleging it was necessary they should do so till the

¹ Nalson’s Collections, i. 245-247.—Stevenson’s Church and State, p. 287, 288.

danger was blown over, expressly contrary to the fifth article¹. The king was well aware of the duplicity of the Covenanters, but was willing to overlook it, in the fallacious hope that the people would return to their loyalty and obedience, when they saw his rigid adherence to the terms of the treaty of Birks. Traquair had accompanied the king to London, and was the bearer of a letter from the king to the Scottish bishops, who were then at Newcastle, and from whence the primate had written to the king offering their humble advice to prorogue the Assembly and parliament. The king approved of their advice; but in the present posture of his affairs he was obliged to decline to act upon it; for he says, "we are resolved (rather, necessitated) to hold the Assembly and parliament at the time and place appointed, and for that end we have nominated the earl of Traquair our commissioner; to whom we have given instructions not only how to carry himself at the same, but a charge also to have special care of your lordships, and those of the inferior clergy, who have suffered for their duty to God and obedience to our commands. And we do hereby assure you, that it shall be one of our chiefest studies how to rectify and establish the government of that church aright, and to repair your losses, which we desire you to be most confident of. As for your meeting to treat of the affairs of the church, we do not see at this time how that can be done; for within our kingdom of Scotland we cannot promise you any place of safety; and in any other of our dominions we cannot hold it convenient, all things considered. Wherefore we conceive that the best way would be for your lordships to give in, by way of protestation or remonstrance, your exceptions against this Assembly and parliament to our commissioner, which may be sent by any mean man, so he be trusty, and deliver it at his entering into the church. But we would not have it to be either read or argued in this meeting, where nothing but partiality is to be expected, but to be represented to us by him, which we promise to take so into consideration as becometh a prince sensible of his own interest and honour, joined with the equity of your desires. We must likewise intimate unto you, that we are so far from conceiving it expedient for you, or any of my lords of the clergy, to be present at this meeting, as we do absolutely discharge your going thither; and for absence, this shall be to you, and to every one of you, a sufficient warrant. . . . Thus you have our pleasure briefly signified unto you, which we doubt not but you will take in good part: you can-

¹ Collections, i. 247.

any citation, admonition, certification, or act whatsoever, proceeding from the said pretended meeting, be prejudicial to the jurisdiction, liberties, privileges, rents, possessions, and benefices, belonging to the church, nor to any acts of former General Assemblies, acts of council, or parliament, made in favour thereof; but to the contrary, that all *such acts and deeds*, and every one of them, *are and shall be reputed unjust, partial, and illegal*, with all that may follow therefrom.

“And this our protestation we humbly desire may be presented to his majesty, whom we do humbly supplicate, according to the practice of christian emperors in ancient times, to convene the clergy of his whole dominions, for remedying the present schism and division, unto whose judgment and determination we promise to submit ourselves and all our proceedings.

“Given under our hands at Morpeth, Berwick, and Holy Island, the 10th and 11th of August, 1639.

(Signed)

ST. ANDREWS.

DA. EDINBURGEN.

WALL. BRECHINEN.

JO. ROSSEN.

JA. LISMOREN.

THO. GALLOWAY.

AD. ABERDON.¹

The Covenanters had been busily employed in dispersing pamphlets and tracts to the disparagement of his majesty's government and the implication of his sincerity, for the purpose of confirming their own friends, and drawing the wavering and unreflecting off from their allegiance and duty. One of these disloyal papers fell into the king's hands, and he laid it before the English privy council, and such of the members as were therein implicated declared it to be utterly false and calumnious. The privy council, therefore, declared it highly scandalous to his majesty's person, honour, and government, full of gross mistakes, perverting the sense of his majesty's declaration, and of most pernicious consequence upon the peace of the kingdoms. An act of state was therefore published “against the Scots concerning a scandalous paper lately dispersed by them.” In conclusion, the act says, “all which considered, the whole board, unanimously, became humble petitioners to his majesty, that this false and scandalous paper might be publicly burnt by the *hangman*²,” and which was done accordingly.

The Covenanters attempted in an equivocal manner to disavow this scandalous pamphlet; but their actions proclaimed their adherence to the system recommended in it of misrepre-

¹ Nalson's Collections, i. 249-50.

² Ibid. i. 251-2.

senting and calumniating the king. The earl of Dalhousie published a protest at the cross of Edinburgh, intimating that the new combination "would maintain the late Assembly at Glasgow as *most lawful, free, and general*, and would adhere to their solemn covenant with God, whereby the office of bishops, who yet usurp the title, is declared to have been *abjured*: and that, therefore, if they return to this kingdom, they shall be used as accursed, and given over to the devil, and out of Christ's body, as ethnicks and publicans; and that all who harbour them shall be prosecuted to excommunication likewise¹."

On the 12th of August the broad seal was put to lord Traquair's commission; and the ministers, nobility, and gentry, went in procession from Holyrood House to the high church, where Mr. Henderson, the moderator of the Glasgow Assembly, preached from Acts v. 33, to the end; in which he exhorted the commissioner "to employ all his parts and endowments for building up the church of God in this land;" and he exhorted the members to go on zealously, for true zeal, he said, never cooled, but the longer it burns the more fervent it grows. "Let it be seen to the world that presbytery, the government we contend for in the church, can consist very well with monarchy in the state, and thereby we shall gain the favour of our king, and God shall get the glory²." Balfour says, there were sermons in all the churches of Edinburgh, with public humiliation and fasting for the happy success of the Assembly. None of the covenanting lords, he adds, attended the commissioner in his triumphal procession, except such as were privy councillors³.

After the sermon, and the Assembly had been constituted, Mr. Henderson required the members to produce their commissions. The earl of Traquair produced his from his majesty, as high commissioner, which was ordered to be recorded in the books of the Assembly; after which Traquair made a speech, wherein he cautioned the Assembly against suspecting his royal master's sincerest love to religion and the good of the Scottish church, and against heart-burning among themselves on account of their former different sentiments about matters of discipline. Mr. David Dickson, minister of Irvine, was, by a large majority, chosen moderator. The commissioner made a shew of insisting that Mr. Henderson should be continued as the moderator; but this was indignantly resisted by

¹ Skinner's Ecclesiastical Hist. ii. 343.

² Stevenson's Church and State, 389.

³ Annals, ii. 352.

the Assembly, as they charitably ascribed the proposal to a trick of his majesty to make the office perpetual, and so prevent the removal of the episcopacy¹. Dickson, it appears, was not the sort of man fitted for presiding in such an Assembly, and therefore Henderson was appointed to sit beside him, and act as an assessor. Guthry says, that Dickson betrayed such weakness in his office, that every one said *minuit presentia famam*; yea, it had been worse with him, were it not that Mr. Henderson sat at his elbow as his coadjutor². After some pretences by the commissioner for objecting to irregular commissions, the moderator insisted that such minute inquiries would only divert the Assembly from their proper work, and therefore this motion was overruled. On account of the shortness of the time betwixt the meeting of the Assembly and that of the parliament, it was agreed that there should be two sessions each day. Among the first transactions were the transportation (as it is called) of several of the leading Covenanters, from obscure country parishes, to the metropolis, and other large towns; viz. Robert Blair and SAMUEL RUTHERFORD, from Ayr to St. Andrews; David Dickson, the moderator, from Irvine to Glasgow; Mr. John Fergushill, from Ochiltree to Ayr; Mr. James Sharp, from Govan to Leith; ROBERT DOUGLASS, from Kircaldy to Edinburgh; Robert Baillie, from Kilwinning to Glasgow, and Andrew Cant, from Newbottle to Aberdeen³. This first step was an interference with the civil rights of the patrons of these several churches, and a direct dispensation with the powers of the crown and the parliament.

In the eighth session, on the 17th of August, George Graham, some time bishop of Orkney, gave in his written abjuration of his episcopal office, subscribed in the presence of witnesses, and which was read by the clerk, and ordered to be registered in the Assembly's books "*ad perpetuam rei memoriam*:" and for the same reason the abjuration of this fallen star is inserted here:—" . . . I, master George Graham, some time pretended bishop of Orkney, being sorry and grieved at my heart that I should ever, for any worldly respect, have embraced the order of episcopacy, the same having no warrant from the Word of God, and being such an order as hath had sensibly many fearful and evil consequences in many parts of Christendom, and particularly within the kirk of Scotland, as by doleful and deplorable experience this day is manifest, to have disclaimed, like as I, by the tenor hereof, do *altogether*

¹ Stevenson's Church and State, 390.

² Guthry's Memoirs, 53.

³ Stevenson's Church and State, 391.

disclaim and abjure all episcopal power and jurisdiction, with the whole corruptions thereof, condemned by lawful Assemblies within the said kirk of Scotland . . . promising and swearing, by the great name of the Lord our God, that I shall never, whilst I live, directly or indirectly, exercise any such power within the kirk; neither shall I ever allow or approve the same, not so much as in my private or public discourse; but, on the contrary, shall stand and adhere to all the acts and constitutions of the late Assembly, holden at Glasgow on the 21st of November, 1638, last by past, and shall concur, to the uttermost of my power, sincerely and faithfully, as occasion shall offer, in executing the said acts, and in advancing the work of reformation within this land, to the glory of God, the peace of the country, and the comfort and contentment of all good christians, as God shall be my help." This remarkable disclaimer is dated on the 11th of February¹. This unhappy man was very rich, and had lent large sums of money on bond, all of which would have been escheated had he not avoided the Assembly's excommunication by this timely imitation of that treacherous apostle who bare the bag. Upon his shameful apostacy, Robert Baron, professor of divinity in Marischal College, Aberdeen, was elected to the see of Orkney; but from the posture of the king's affairs, and the absence of all the bishops from the kingdom, he never was consecrated or obtained possession of his diocese².

In the same session an act was passed "containing the causes and remedy of the by-gone evils of this kirk;" the main and most material of which, they said, was the pressing of the liturgy by the prelates, the frame of which they alleged was popish, containing divers popish errors and ceremonies, and the seeds of manifold superstitions and idolatries; the Book of Canons, establishing a tyrannical power over the kirk in the persons of bishops; with a Book of Consecration and Ordination, having no warrant either civil, ecclesiastical, or from the Word of God; and a High Commission, subverting the jurisdiction of the kirk, and giving to persons merely ecclesiastical the power of both swords, and to persons merely civil the power of the keys.—2. A second cause was the Articles of Perth.—3. The changing the government of the kirk from the Assemblies to the persons of some kirkmen usurping authority over their brethren by the name of episcopal government.—4. Fourthly, the civil places and power of

¹ Collection of Acts of Assembly, by Johnston, of Warriston, p. 72.

² Keith's Catalogue of Scottish Bishops, p. 227.

kirkmen sitting and voting in the [court of] session, council, exchequer, parliament, and bench of justices of peace, lifting them up in worldly pomp above their brethren.—5. Fifthly, The keeping and authorising corrupt Assemblies, *viz.* at Linlithgow, 1606; at Glasgow, 1610; at Aberdeen, 1616; at St. Andrews, 1617; at Perth, 1618, all of which are null and unlawful.—6. A sixth cause was the want of lawful and free General Assemblies rightly constituted of pastors, doctors, and elders, yearly or oftener, *pro re nata*, and above all these, the breach of the national covenant¹.

When Henderson composed the foregoing complaint, but in particular its fourth article, he must altogether have forgot ten his own agency in the transactions of the previous twelve months. He and his party had made it an unpardonable crime in the bishops and clergy to perform those secular offices which had been thrust upon them by the crown. Yet there appears to have been a most marvellous elasticity in presbytery; for he thrust himself forward into the camp, and, in the midst of rebellion, marched and countermarched with an army in array against his sovereign, attended all the councils of war, treated and advised as a commissioner, and signed the treaty for his fellow Covenanters with their sovereign, which was wholly and entirely of a civil nature. These transactions are instances of the hypocrisy and double-dealing which will ever disgrace and tarnish his name; and will show that his opposition to the secular offices of the bishops arose from envy and disappointed pride and ambition, and not from any real love of God, or for the advancement of true religion, which is first pure and then peaceable. After the foregoing act had been put to the vote, the earl of Traquair consented verbally to it, and promised a written declaration of his consent to the clerk, and also promised to ratify it in the ensuing parliament.—I, John, earl of Traquair, his majesty's commissioner in this present Assembly, do, in his majesty's name, declare that notwithstanding of his majesty's own inclination, and many other grave and weighty considerations, yet such is his majesty's incomparable goodness, that for settling the present distractions, and giving full satisfaction to the subject, he doth allow, like as I his majesty's commissioner do consent to the foresaid act, and have subscribed the premises².

In the eighteenth session, on the 26th of August, the Assembly passed an act approving of another surreptitious register

¹ Johnston's Acts of Assembly, Session eight, 17th August, 1639, pp. 73-76.

² Ibid. p. 86.

which Johnston had forged and now produced, and “ordained the same to make faith in judgment, and outwith in all time coming; as a true and authentic register of the kirk of Scotland, conform to the testimony subscribed by the committee, and to be inserted in the books of Assembly.” In the twentieth session an act was passed for receiving such of the deposed clergy as should submit to their government, “recommending to the synods all those who are deposed before them for subscribing the [bishop’s] declinature, for reading of the service-book, and for any other gross cause: that upon their true repentance and submission to the constitutions of this kirk, and upon their purgation and clearness from any gross faults, laid to their charge in any new process against them, they may be found by the synods capable of the ministry¹.” In the twenty-first session an act was passed for the keeping of the Lord’s Day, and for prohibiting river and sea fishing, and the working of mills, on that sacred day, under the pain of the censures of the kirk. By another act, a fine was imposed on those who went into England in order to be married; that the parish books of every parish be presented to the presbyteries, to be examined by them; to compel the episcopal clergy who had been excommunicated by the Glasgow Assembly, to resign their benefices, which were declared vacant; to revise and enforce all former and obsolete acts against papists and excommunicated persons, and all who aided, comforted, or assisted them; that some uniform catechism be appointed; and that intrants to the ministry be examined before their admission². Another act was passed, in condemnation of his majesty’s “Large Declaration,” and in particular of Walter Balcanquhal, the dean of Durham, who it was supposed had written it: his majesty was desired to call it in, and to send the dean of Durham to Scotland, that he might be tried and sentenced to suffer condign punishment, for the vindication of God’s honour from such high contempt, and the king’s dignity from such false and unjust imputations!³

In this session also the covenanters gained a great jesuitical point, and which has deceived many well-meaning men—the explanation of their bond of mutual defence; of which they have both then and since taken so much advantage. The following supplication of the Assembly was prepared and presented to his majesty’s high commissioner and the lords of secret council. After protesting their loyalty and obedience,

¹ Johnston’s Collections of Acts, session 20, Aug. 28, 1639.

² Act Sess. 22, 29th Aug.—*A Miridia*, p. 79.

³ Sess. 23, 30th Aug. p. 81.

the petition proceeds—"We have solemnly sworn, and do swear, not only our mutual concurrence and assistance for the cause of religion, and to the uttermost of our power, with our means and lives, to stand to the defence of our dread sovereign, his person and authority, in preservation and defence of the true religion, liberties, and laws of this kirk and kingdom, but also in every cause which may concern his majesty's honour, shall, according to the laws of this kingdom and the duties of good subjects, concur with our friends and followers, in quiet manner or in arms, as we shall be required of his majesty, his council, or any having his authority. And, therefore, being most desirous to clear ourselves of all imputation of this kind, and following the laudable example of our predecessors, 1589, do most humbly supplicate your grace his majesty's commissioner, and the lords of his majesty's most honourable privy council, to enjoin by act of council, that this Confession and Covenant, which, as a testimony of our fidelity to God and loyalty to our king, we have subscribed, be subscribed by all his majesty's subjects, of what rank and quality soever¹."

On the same day, the earls of Rothes and Montrose, lord Loudon, sir John Stirling, sir William Douglass, sir Henry Wood, John Smith, burgess of Edinburgh, Robert Barclay, provost of Irvine, Alexander Henderson, minister, and Archibald Johnston, clerk of the Assembly, appeared in presence of the commissioner and the privy council, and in the name of the Assembly presented the aforesaid petition; "which being read, heard, and considered by the said lords, they have ordained and do ordain the same to be insert and registrate in the books of privy council, and, according to the desire thereof, ordain the said Confession and Covenant to be subscribed in time coming by all his majesty's subjects of this kingdom, of what rank and quality soever²."

Here Mr. Henderson again appears in the character which he and his party had so severely condemned in the late prelates; but this collusion betwixt the Assembly and the privy council was, with the true cunning of the jesuit, turned afterwards to good account. When they had concentrated their scattered forces, which they had never disbanded, and again appealed to arms against his majesty, they evaded this oath by asserting that they swore to maintain his authority in the preservation of the true religion, the laws, and liberties of the

¹ Johnston's Acts, &c. pp. 82, 83.

² Act of Lords of Council, Aug. 30, 1639.—Johnston's Acts, 84.

realm ; and by severing the regal power from the royal person, they made use of his authority to take up arms against his person and his loyal adherents, who, they pretended, had invaded the laws and liberties of his dominions, and were the greatest enemies to the king and to religion !

After transacting this preconcerted business, in direct breach of his majesty's instructions, the commissioner returned to the Assembly, and, as his majesty's representative, declared, in his betrayed master's name, that the council found the desires of the Assembly so fair and reasonable that they conceived themselves bound in duty to grant the same, and had made an act of council to that effect. That he himself was so fully satisfied, that he came now, as his majesty's commissioner, to consent fully unto it ; and that he was most willing that it should be enacted here in this Assembly, to *oblige* all his majesty's subjects to subscribe the said covenant, with the Assembly's explanation. And because there was a third thing desired, his subscription as the king's commissioner unto the covenant, which he behoved to do with a written declaration ; and he declared as a subject, he should subscribe the covenant as strictly as any, with the Assembly's declaration ; but as his majesty's commissioner, he behoved to prefix the following declaration to his subscription, which no Scots subject should subscribe, or have the benefit of, not even himself as earl of Traquair. This explication, after a long hypocritical preamble, was as follows :—" Seeing this Assembly, &c. Therefore I, as his majesty's commissioner, for the full satisfaction of the subjects, and for settling a perfect peace in church and kingdom, do, according to my foresaid declaration and subscription subjoined to the act of this Assembly, of the date the 17th instant, allow and consent that the covenant be subscribed throughout all this kingdom. In witness whereof I have subscribed the premises¹." And moreover the commissioner subscribed the following declaration of his consent to the act of the Assembly of the 17th August, which enumerated the causes of the public commotions :—" I, John earl of Traquair, his majesty's commissioner in the present Assembly, do, in his majesty's name, declare, that notwithstanding of his majesty's own inclination, and many other grave and weighty considerations, yet such is his majesty's incomparable goodness, that for settling the present distractions, and giving full satisfaction to the subject, he doth allow,

¹ Johnston's Acts, &c. 84, 85.

likeas I his majesty's commissioner do consent to, the aforesaid act, and have subscribed the premises¹."

Another act ordained the covenant to be signed, under ecclesiastical censure, by all masters of universities, colleges, and schools, all scholars at the passing of their degrees, all persons suspected of popery or any other error, and, finally, all members of this kirk and kingdom, with the following words prefixed to their subscription:—"The article of this covenant, which was at the first subscription referred to the determination of the General Assembly, being determined, and thereby the five articles of Perth, the government of the kirk by bishops, and civil places and power of kirkmen, upon the reasons and grounds contained in the acts of the General Assembly, declared to be *unlawful* within this kirk: we subscribe according to the determination foresaid²."

The commissioner consented to these acts condemning episcopacy and establishing the covenant, though contrary to the king's will and instructions, and for which Charles severely reproached him. The Assembly had now gone on triumphantly under the presidency of a commissioner, who, being their secret friend, betrayed his trust. Before rising, however, they took care to supply the universities and other seminaries with men devoted to the covenant, to fill up the vacancies occasioned by the flight of many of the former professors. It became necessary to indoctrinate the rising generation of divinity students in their own principles, "whereof," says Guthrie, "they had the more need, because by this time the old ministry saw so much into their designs, that divers of them were falling from them, and so no way remained to keep the church constantly on their side, but that young ones (who were to succeed when they were gone) should be bred towards a liking of their course." John Adamson, principal of the college of Edinburgh, was a furious Covenanter, not so much from conviction as from a mean-spirited policy "to eschew their wrath." Samuel Rutherford was transferred from a country parish in Galloway, near to Kirkcudbright, to be Principal and the teacher of theology in the university of St. Andrews; and in order to strengthen his hands, Robert Blair, from Ayr, was placed as the parish minister; the former clergy, Dr. Gladstones and Dr. Wishart, having been driven out of their benefices by the persecution of the covenanters. Blair had many years before been a professor in the university

¹ Johnston's Acts, p. 86.

² Ibid. p. 86.

of Glasgow; but from which he had been *expelled* for instilling seditious and antimonarchical principles into the students: after that, he went over to Ireland, and joined the malcontented protestants there; but on the rise of the troubles in Scotland, he returned, and violently took possession of the church in Ayr, thrusting out Mr. Annan, the legal incumbent. Mr. David Dickson, from Irvine, was appointed a professor in Glasgow, under principal Baillie; "for albeit his weakness for that profession was generally known, yet in regard he was *very seditious*, and had a *pragmatical* way of dealing with young folks, towards that end the leaders of the cause thought that his settling there might be profitable to them." They could not find men sufficiently seditious and pragmatical to send to the university of Aberdeen, which was also rendered vacant by the persecution of the times, and therefore in the meantime they only confirmed Andrew Cants' appointment to be the minister of the town¹. "This design in placing such men in the universities was not taken notice of by those that had the charge of his majesty's affairs, yet it did, in progress of time, prove the most effectual means whereby that cause prevailed; for when those young men (who had their breed-

¹ In the year 1841, the ancient cross of the old city of Aberdeen was discovered in a smithery in that city, and redeemed by some worthy antiquary from its degrading situation, and placed in the museum of King's College. The following narrative was written by Mr. John Ramsay, the accomplished author of "My Grave," and "My Good Old Aunt;" and as it is connected with Mr. Cants' name, it is here given entire, as it appeared in the Aberdeen Constitutional, a respectable paper which had copied it from the journal of that city.—"A remnant of this ancient and beautiful structure, the original place of which has long ceased to know it, was recently rescued from a situation of most inglorious obscurity, and consigned to a fitting asylum, in the museum of King's College. Our topographers tell us, that there formerly stood, in the centre of the area in front of the Town House of Old Aberdeen, a Cross which was formed of an upright stone, raised upon a pedestal of a few steps above the level of the street. This stone was surmounted by a figure of the Virgin Mary; and underneath were the armorial bearings of the bishops Dunbar, Stewart, and Gordon. The last succeeded to the episcopal see, in 1545, which serves to indicate the period about which the Cross was erected. At the era of the Reformation, it was defaced by those whose indiscriminate zeal took offence at whatever even 'smelt somewhat of popery;' and after experiencing the inclemency of many a trying season, and the rough manipulation of ruthless hands—the ministers of wanton mischief—it was finally removed about the time when the Town House was rebuilt. What became of the shaft is not known; but the stone, on which were engraved the armorial bearings of the episcopal trio, was discovered, the other day, in a smithy in Old Aberdeen, where it had long been degraded into an utensil for holding tacks, old nails, and other odds and ends in the 'hard line,' tossed into the square cavity into which the top of the shaft had been inserted. To such vile uses had come this portion of a time-honoured fabric, which had once so proudly 'cropped the causy!' This curious relic owes its more congenial quarters in King's College, to the pious care of the individual who by chance discovered it."

ing under them) came forth to be ministers in the church, they were incomparably more furious, and therein outstripped the elder men (even of their own judgment) so far, that if any of them happened (upon any occasion) to speak of any thing that savoured of moderation, they were therefore reckoned *Laodicean* politicians, &c. ; the madness of the time being such, that those who were most cruel were most cried up¹."

Traquair gave the king an account of the Assembly's proceedings, who wrote to his lordship with his own hand, and tied him up to the instructions which had been given him at Berwick. On the point of abjuring episcopacy, the king says, "We think it fit to declare hereupon unto you, that let their madness be what it will, further than we have declared in our instructions in these points we will not go." Again, with respect to the liturgy, canons, Perth articles, and the Assemblies which had been condemned at Glasgow, he says, "if the Assembly will, in despite of your endeavour, conclude contrary to this, you are to protest against their proceedings in these points, and be sure *not to ratify* them in parliament." In order to save any dispute about annual assemblies, he directed Traquair to indict one to meet within the year; but by their act of "Apellations" his grace suffered this measure to be silently carried contrary to the king's instructions. "The article in your instructions, which is only that the Covenant of 1580 shall be subscribed, you must have an *especial care of*, and how you proceed therein; that the band be the same which was in our father's time, *mutatis mutandis*; and that you give your assent no otherwise to the interpretations thereof, than may stand with our future intentions, well known to you; nor is the same otherwise to be ratified in parliament.

"Thus you have our pleasure fully signified in every particular of your letter, which you will find noways contrary to our resolution taken at Berwick, and our instructions given to you then. But if the madness of our subjects be such, that they will not rest satisfied with what we have given you power and authority to condescend to,—which, notwithstanding all their insolencies, we shall allow you to make good to them,—*we take God to witness* that, what misery soever shall fall to that country hereafter, *it is no fault of ours, but their own procurement*. And hereupon we do command you, that if you cannot compose this business according to our instructions, and what we have now written, that you *prorogue the parliament* till the next spring; and that you think upon some course,

¹ Guthry's Memoirs, 54, 55.—Skinner's Ecc. Hist. ii. 350.

how you can make publicly known to all our subjects to what we had given you power to condescend. And, because it is not improbable that this may produce a present rupture, you are to warn and assist Ruthven for the defence of the castle of Edinburgh, and to take, in general, the like care of all our houses and forts in that kingdom; and likewise to advertise all such who are affected to our service, that timeously they may secure themselves. And so we bid you heartily farewell¹."

Before their dissolution, the Assembly addressed a letter of thanks to the king for his wonderful condescensions, and "blessed his majesty for that happiness upon the *knees of their hearts*," and promised "to fill heaven and earth with their praises" of the king:—"That your majesty's princely power and the ecclesiastical power joining in one, the mutual embracements of religion and justice, of truth and peace, may be seen in the land, which shall be to us *as a resurrection from the dead*, and shall make us, being not only so far recovered but also revived, *to fill heaven and earth with our praises*, and to pray that KING CHARLES may be more and more blessed, and his throne established before the LORD for ever." The Assembly then appointed "the next General Assembly to sit at Aberdeen, on the last Tuesday of July, 1840; and warned all presbyteries, universities, and burghs, to send their commissioners to that city; and thereafter the assembly was concluded by giving of thanks by the moderator, and singing of a psalm, according to custom²."

On the 31st of August the parliament sat down; but, in their very first proceedings, the disaffected members showed their disposition towards revolution: for they totally altered the frame of the parliament, and particularly in the choice of the lords of the articles, and protested, that they should not hold any act of this parliament valid, unless they were permitted to make the alterations which would pack it to answer their purposes. They took away the first or spiritual estate; and, to keep up three estates, they arbitrarily divided the higher rank of the nobility from the barons, which, with the burgh members, they declared to be the three estates of parliament. These acts of themselves were undoubtedly high treason. Instead of an act of oblivion, for which they petitioned at Berwick, they now passed an act to justify all their former opposition to the king's government; and they had the assurance to enact, that the expenses of the late insurrectionary movements should be paid by those of his majesty's subjects who had been loyal and

¹ Nelson's Collections, i. 254-5.

² Johnston's Acts, 90.

obedient to the crown. Montrose argued strongly against all these proceedings, which first awakened the jealousy of the covenanted chiefs, and the populace on the streets were instructed to insult him when he appeared in public. Even Traquair's secret treachery could not consent to all their demands; and he therefore wrote to the king for further instructions. He accordingly sent him instructions to prorogue the parliament, "when he found them thus pertinaciously resolved to persist in these their insolent and insufferable demands, contrary to all religion and laws, though they so much pretend to them both." But, before their prorogation, the treacherous Traquair ratified all the Assemblies' acts, although he had been peremptorily prohibited by his majesty's express command; and when, at last, he did signify the king's command for the prorogation, this undoubted prerogative of the sovereign was met by a protest, which they called a "declaration of the parliament," in which they claimed, that a parliament should not be prorogued without the consent of the estates. The commissioner, however, carried his instructions into effect; but as he had given them timely notice, they had their protest ready, which was read by Johnston, and instruments taken thereupon by the earl of Rothes¹.

On the 17th November, the day after the prorogation of parliament, the commissioner set out for court to give an account of the proceedings, and was not very graciously received by the king, who was displeased with his betrayal of the prerogative. Balfour says, he was "freighted with sinister informations against the proceedings of the covenanters; and in eloquent terms, before his majesty and his privy council, *stiffly denied all*, with great oaths, he had done in the Assembly, *or that he had assented to anything*; but, to the contrary, exaggerated all the Covenanters' deportment and actings, as tending to the destruction of the fundamental laws of the kingdom, and the overthrow of the monarchical government, and made a very molehill a mountain²." Nevertheless, his majesty was pleased to say, that his ears should be ever open to the just complaints of his Scottish subjects; which induced the covenanters to dispatch the earl of Dunfermline and the lord Loudon to court, to put his majesty in possession of their account of the late proceedings in parliament. On receiving notice of this movement, the king sent them a peremptory order not to approach nearer than within

¹ The king's own Narrative and Letters, as given in Nalson's Collections, p. 257-70.—Guthry's Memoirs, 55, 56.—Johnston's Acts of Assembly for 1639. Balfour's Annals, ii. 363.

two miles of the court: whereupon they returned to Edinburgh without accomplishing the object of their journey. The Tables then despatched Mr. William Cunningham of Brownhill, with a strong remonstrance, but to which they gave the softer name of a petition, that the parliament might be allowed to proceed; or in case his majesty should desire to hear their complaints in person, that he would admit some of their number to his presence. On the 23d December, Cunningham returned, and brought a proclamation for commissioners to repair to court. Traquair, also, returned on the 18th of the same month, and privately removed the crown and regalia from Holyrood House to the castle¹.

1640.—As TIME advanced, the Tables assumed a more determined tone, and began secretly to improve their military strength. Notwithstanding their engagement at Birks, they had never entirely disbanded their forces; and they had kept all their officers together, and on full pay, to be in readiness when they found it expedient to levy war against the king. Charles himself began to see that an appeal to arms was the only means by which he could retain the crown on his head. The English puritans were in full communication with the Tables, and encouraged them in their rebellion by the promise of assistance. The parliament itself did not separate entirely, when prorogued, but appointed A COMMITTEE OF ITS MEMBERS to sit and deliberate, and assist the Tables. On the 19th January, this Committee sent up Dumfermline and Loudon to court a second time; and, with them, Sir William Douglass, of Cavers, and Robert Barclay, provost of Irvine, to support the particular acts proposed by the lords of the articles; to insist with his majesty to assign a short day for the re-assembling of parliament; and to remonstrate against his reinforcing the castles of Edinburgh and Dumbarton². On the 25th of February, however, a reinforcement of 300 men arrived in two vessels of war, under the command of Captain Slingsby, with a quantity of munitions of war, and got into the castle unmolested.

As war was now inevitable, it became necessary to replenish his treasury, and Charles, after a long intermission, issued writs for the assembling of his fourth English parliament, and which met on the 3d April. But instead of proceeding to business the Commons fell upon their former system of complaints; Pymm exaggerated all the extraordinary cases of raising money, and the long intermission of parliaments; Grimstone spoke against ship-money, and the opinions of the judges on

¹ Guthry's Memoirs, 57.

² Stevenson's Church and State, 409.

it. The peers saw the object of the Commons, and desired a conference, at which they advised them to waive these "grievances" for the present, and to grant the king a supply. The Commons were so offended at this advice, that they voted it a great breach of privilege, and would not proceed to any business till the peers had made satisfaction. To soften the wounded dignity of the Commons, and to reconcile the two houses, the king addressed a letter to them, in which he agreed to quit the obnoxious claim of ship-money, if they would grant him twelve subsidies to be paid in three years. The house entertained this proposal, and were chiefly desirous that the amount required might be diminished; when Vane, the solicitor-general, imprudently assured them that the king would not abate a farthing of his demand. At the same time he abused the king's confidence by telling him that the Commons were so indignant at the ship-money, that if they were allowed to sit much longer they would deprive his majesty of that branch of his revenue without furnishing him with any equivalent. These wicked and treacherous falsehoods so wrought on the king that he dissolved the parliament before the Commons had time to vote the supplies. In this dilemma the earl of Strafford subscribed twenty thousand pounds by way of loan, which was followed by the duke of Richmond with a like sum, and most of the peers, bishops, judges, and officers of the courts of law, also subscribed, "and generally all the gentry of estates, who were not of the Scottish leven, contributed, according to their abilities, to his majesty's present supply." The Irish House of Commons voted "with one consent cheerfully four entire subsidies towards his present preparation to reduce his disaffected subjects, the Covenanters of Scotland¹."

The Scottish commissioners, while trying to divert the storm that was now accumulating, were industrious in forming a party in England to favour their pretended reformation in the extirpation of episcopacy, and the establishment of their covenant. For this purpose the earl of Rothes had sent with them a letter to the earl of Pembroke, upon the slight acquaintance of having met at Birks on the negotiation of the treaty there. Lord Pembroke gave him no encouragement to continue the correspondence, but charged him directly with the guilt of rebellion, and affirmed that his letter was "fuller of sophistry and mean designs than of truth or of reason." First, he says, "I never allowed your defence to be lawfully undertaken, by other

¹ Nalson's Collections, i. 280-283.

arms than by petitions and prayers unto your master. I never found loyalty in your covenant, nor duty in your taking up arms. I never affirmed the justice of your cause; neither did I consider so much the merit thereof, as your unwarrantable and tumultuous disobedience therein unto the king, with the vexation and disturbance it brought upon the nobility of this kingdom. Neither was I in all this commotion your advocate, for other reasons than suffering myself to become a mediator to his majesty for your peace and forgiveness, moved thereunto by your frequent protestations of paying all duty and loyalty to your master's commands. If from hence you haply gained from me an easier credulity than your masked designs deserved at my hands, I know not why you should obtrude on me an alteration of my opinion, or of withdrawing of my (but conditional) respects from you. You may pretend religion to be the sole cause of your grievance; but we believe it a woeful religion here, that hath thus divested itself of all moral duty and civility¹."

This loyal letter did not alter the course of the rebel chiefs; for they were equally industrious in gaining over the common people, but especially the puritans, with whom they had all along maintained a secret correspondence through the medium of pedlars. They insinuated into the minds of the common people the secret designs of the court and the clergy, of introducing popery and arbitrary power; by which means an alarm was created, and their affections were withdrawn from their duty and allegiance. The preparations made by the rebel Tables, and the concentration of their forces, obliged the king to collect an army to oppose them. The covenanting and presbyterian ministers, in their fiery zeal, sounded out the note of rebellion from their pulpits; and they taxed the king with a breach of the articles of the pacification at Birks, although it was notorious that the violation was on their own side. They took advantage of the burning of the scandalous libel, already mentioned, to tell their hearers that the king had burnt the treaty itself by the common hangman, which incensed them, and made them the more readily listen to the ministers' exhortations to rebellion. To raise money, the seditious preachers persuaded the people to contribute their plate and jewellery, and they wrested many texts of Scripture, that they might with more facility prevail upon them. Some of the nobles gave their bonds for large sums; but their chief supply was derived from one William Dick, a rich citizen of Edinburgh, who advanced

¹ Nalson's Collections, i. 283-85.

his whole fortune, which was very considerable. It seems he was a vain-glorious man, and they flattered his vanity with many fair words, and by procuring his election to the chief magistracy of the city, the office of lord provost being then vacant, owing to the flight of sir John Hay, whose life was threatened for his loyalty, and for having accused the earl of Traquair of treachery before the king in the business of the late Assembly and parliament. The Covenanter chiefs now purchased arms and ammunition from their friends in Holland, and in May they laid siege to Edinburgh Castle, which was bravely defended by general Ruthven, who had been created lord Etterick. This nobleman was forfaulted in the parliament this year, and his property, which consisted principally of money, was escheated for the use of the Tables. They were encouraged to proceed in the war by the puritans, who urged them with the promise of assisting them with men and money as soon as they should invade the realm of England.

On the 11th of June the parliament met at Edinburgh, without any authority from the king, or any commissioner to represent his majesty; the house, therefore, elected Robert lord Burleigh to be their president in that session. This parliament sat only eight days, but in that short time thirty-nine ordinances were passed, and the whole constitution was completely remodelled. By the second act the spiritual estate was for ever excluded from sitting in parliament; and the three estates were declared to be 1, noblemen; 2, barons; 3, the members for counties and burghs: this act also *rescinded all former acts*, in which churchmen, under whatsoever title, were declared the third estate of the kingdom. The third act regulated the choice of COMMITTEES from each of the estates, which was the first positive law for committees. The fourth ratified the act of the late General Assembly, which was entituled "Anent the six causes of our by-past evils." The fifth ratified the covenant, and the Assembly of 1639. The sixth was called *rescissory*, because it rescinded all former acts of parliament which grant to the kirk or kirkmen, of whatsoever sort, the privilege of riding and voting in parliament, as prejudicial to the liberties of the kirk, and incompatible with her spiritual nature; and the act declares, that the sole and only power and jurisdiction within this kirk stands in the kirk of God, as it is now reformed, and in the general, provincial, and presbyterial assemblies with sessions of the kirk. The eighth act condemned the king's "Large Decla-

¹ Nalson's Collections, i. 285-86.—Guthry's Memoirs, 47.—Balfour's Annals, ii. 373.

ration," as false in many things, full of untruths and lies, &c. The sixteenth suppressed the distinction of spiritual and temporal lords of the court of session, and for ever after excluded all churchmen from being judges. The seventeenth against leasing-makers, and which was purposely framed to reach Traquair, (who, by his double dealing, had also offended the Covenanters,) and sir John Hay, clerk-register, sir Robert Spotswood, president of the court of session, and Dr. Maxwell, bishop of Ross. The eighteenth ordained all *unlawful proclamations* to be null, under pain of treason, whereby they intended to prevent the king's proclamations from being made public. The nineteenth declared all the Bands and Conventions since the commencement of the rebellion to be legal and lawful; and the thirty-eighth ordained "the whole subjects and lieges of this kingdom to obey, maintain, and defend the conclusions, acts, and constitutions of this present session of parliament, and to subscribe the Band appointed for that effect." There were in all thirty-nine ordinances passed, but those above named are the most remarkable, "as exhibiting the real greatest change at one blow that ever happened to this church and state these 600 years by past; for in effect it overturned not only the ancient state government, but fettered *monarchy with chains*, and set new limits and marks to the same, beyond which it was not legal to proceed¹."

THE SIEGE of the Castle was vigorously pressed, and the earl of Argyle overrun the district of Athole and the county of Forfar, demolished Airly House, plundered and burnt the whole estate of the earl of Airly. He sent the earl of Athole, and all the loyal gentry of that country, prisoners to Stirling Castle, and levied a forced contribution on the inhabitants, of ten thousand pounds, on the cruel maxim of making war support war. At the same time, major-general Monro was sent northwards, to chastise the uncovenanting citizens of Aberdeen, of whom he arrested thirty-six. He took the house of Drum, and sent the laird and his brother, with sixteen barons and gentlemen, that had nobly refused to sign the covenant, prisoners to Edinburgh, who were committed to the castle. He maintained his army on their estates, and oppressed their tenants and friends. He then marched forward to Elgin, and besieged good bishop Guthrie, in his castle of Spynie, a few miles from that city, which he took, and carried off the bishop a prisoner. From Elgin, he returned and plundered all the lands of the marquis of Huntly, and placed a garrison in his family man-

¹ Balfour's Annals, ii. 373-379.

sion of Strathbogie. He plundered his lands of two thousand horses and cattle, and many thousands of sheep, which he sold back again to their owners, at 54s. Scotch each. From Strathbogie he marched to Banff, the 2d of August, "where he plays the devil, and demolishes the lord Banff's house. Here I leave him, plundering and destroying the policy of the land, and reducing all those that formerly danced after Huntly and Banff's fiddling (who called themselves the king's friends) to the obedience of the covenant¹."

On the 14th April, a provincial synod was held by the archbishop of Canterbury, which granted the king a subsidy for the public service. The king, by his letter of the 17th May, desired the synod to "conclude upon such a canon as may secure us and all our loving subjects against all growth and increase of popery in this our kingdom, as also of any heretical or schismatical opinions, to the prejudice of the doctrine or discipline of this church of England, established by law. . . . And to agree upon some oath to be taken by yourselves and all the clergy respectively, and by all which shall hereafter take on them holy orders, that they shall adhere constantly to the doctrine and discipline here established, and never give way (. . .) to any innovation or alteration thereof²." The synod sat till the 29th May, when it was dissolved.

The General Assembly met at Aberdeen on the 28th of July; but there was no peer to represent the king. On the second session, Andrew Ramsay, one of the ministers whom they had elected moderator, "asked, in the face of the Assembly, if there was any commissioner come from his majesty; and finding there was none, the Assembly proceeded according to their liberties." Acts were made for the demolition of idolatrous monuments, and against witches and charmers. In the fifth session, "the Assembly ordains, that such as have subscribed the covenant, and speak against the same, if he be a minister, shall be deprived; and if he continue so, being deprived, shall be excommunicated; and if he be any other man, shall be dealt with as perjured, and satisfy publicly for his perjury." The last act was against the expectants who refused to subscribe the covenant, and who were declared "incapable of a pedagogic teaching of a school, reading at a kirk, preaching within a presbytery, and shall not have liberty of residing within a burgh, university, or college: and if they continue obstinate, to be processed³." The Assembly then

¹ Balfour's Annals, ii. 380-82.

² Nalson's Collections, i. 351-73.

³ Johnston's Acts of Assembly, p. 91-94.

dissolved itself, and appointed the next meeting to be at St. Andrews, on the third Tuesday of July, 1641. The moderator was instructed, "in a convenient way, by the secret council or otherwise, as may best serve, to request the king's majesty to send his commissioner to the said Assembly; and if any exigent fall out, that the presbytery of Edinburgh give advertisement for an Assembly *pro re nata*¹." Balfour observes, very justly, that there "was no business of any consequence handled, but *only a persecution* against all such ministers as did not relish the covenant well, was raised; and the execution thereof remitted to a committee of ministers and ruling elders²."

The Covenanter chiefs sent a peremptory order to the several counties, to collect their men, and send them forward without delay towards the capital, where they would be placed under the command of general officers. At the same time, the committee of the covenanting ministers who sat at Edinburgh wrote pressing letters to the presbyteries to preach up the covenant, and inflame the public mind with those imaginary dangers of the king's attempting to bring in popery, and its usually arbitrary government, and in all other ways to accelerate the enrolment and despatch of troops. The rich burgesses ill relished the melting down of their plate, and became very slack in offering it; but the ministers beset their wives and daughters, who persuaded them to comply, and the royalists gave the covenant the name of the Golden Calf. It was observed that the chiefs of this rebellion were the most backward in contributing either money or plate; and Argyle, who had reached the summit of authority among them, made no advance whatever³.

The spirits of the rebels were greatly cheered by the arrival of lord Loudon from his imprisonment for high treason in the Tower. The Covenanters had so far fraternised with their natural friends, the papists, that they had written the following letter to the king of France, soliciting his assistance in money and arms, to prosecute the war against their sovereign. It appears exceedingly inconsistent in the Covenanters, who had bound themselves under an oath and covenant to *extirpate popery and superstition*, to fraternise with papists, and the upholders of idolatry; and, accordingly, some of the more fanatical of the Covenanters objected to the solicitation of military assistance from the French, not on the grounds of its

¹ Johnston's Collections, 91-94.² Balfour's Annals, ii. 382-3.³ Guthrie's Memoirs, 63.

being unpatriotic, or of dangerous consequences to political liberty, but because "a confederacy with Lutherans, but much more with papists, was a leaning to the rotten reed of Egypt." The letter was addressed "*au roi*," as if the French king had been their natural sovereign:—

"SIRE,—Your majesty being the asylum and sanctuary of afflicted princes and states, we have found it necessary to send this gentleman, the *Sieur Colville*, to represent to your majesty the candour and openness not only of our actions and proceedings, but also of our intentions, which we wish to be engraven and displayed to the whole world, and also to your majesty, as if by a sun-beam. We therefore very humbly beg of you, Sire, to grant your faith and credence to him and to all he shall say on our part touching our affairs; being well assured, Sire, of an assistance equal to the former accustomed clemency which you have so often shewn to this nation, which will never cede to any other the glory of being, Sire, for ever, your very humble, obedient, and very affectionate servants, (signed,) *Rothés, Montrose, Leslie, Mar, Montgomery, Loudon, Forrester.*"

This most treasonable letter was intercepted, and delivered to the king, who mentioned it in his speech from the throne at the opening of his English parliament, and which letter was read to the members¹. It was signed by several noblemen; but of these Loudon was the only one who was then in London, and he was accordingly arrested, and sent to the Tower. He came up as one of the deputation sent by the Tables; and they carried themselves with as much dignity and authority as if they had been ambassadors of some foreign and independent power, who were treating with the king on a footing of equality; "but then," says Clarendon, "they polished this sturdy behaviour with all the professions of submission and duty which their language could comprehend²."

On perusing this treasonable letter the privy council were of opinion that it ought not to be overlooked; and Loudon having been brought before them, refused to give any other answer than "that it was written before the agreement [at Birks], and thereupon was reserved, and never sent; that if he had committed any offence, he ought to be questioned for it in Scotland, and not in England; he, therefore, insisted upon his safe conduct, and demanded liberty to return." He was committed to the Tower, where he remained for some time. The marquis of Hamilton visited him there; and, through his influence with the king, procured the enlargement of his liberty

¹ Nelson's Collection, i. 311.

² History of the Rebellion, i. 211.

from a solitary apartment to three or four rooms, next to the freedom of the whole fortress, and at last to his full liberty. He next brought him to Court, where he kissed the king's hand; and Charles was so infatuated as to take this traitor into favour, and to send him down to Scotland with a commission to reduce the covenanters to obedience¹!

Thus Charles was betrayed, on all hands, by those men on whose fidelity he reposed a fatal confidence that they would perform their respective sworn duties; but who pretended to misunderstand his instructions, and who wilfully acted in direct opposition to his known will and designs, and his peremptory commands, which he unfortunately wanted firmness to enforce. Indeed, it appears evident that God had given over the chief actors in the transactions of these times to a reprobate mind; had placed a lying spirit in the mouths of the presbyterian ministers, a strong delusion to believe their lies on the people, and an infatuated monomania of concession, confidence in false friends, and infirmity of purpose on the king himself, that was fatal to his crown and life, as preludes to a national punishment for national crimes. De Foe has well described a covenanter, when he says,—“It is no difficulty for him to take oaths against what he really purposes to do; to abjure the cause he from his breast espouses, and the person he reserves his allegiance for; no parliament will make an oath he will not take, and should you ask him to abjure God or the devil, the matter is equal; for if he abjures the last, he is never the farther off from his service, and if he does not abjure the first, he is never the nearer to regard him. Under this jury are couched and concealed innumerable mischiefs, such as these: he becomes protected by the very government he abhors; he eats the bread of the nation he betrays, obtains the favour of the prince he conspires to depose; he is cherished by the poor well-meaning creatures that he debauches; he is embraced by that church he in his heart disowns, and he is ignorantly received by those that in their hearts abhor his designs.” They addressed a foreign prince at the very time that they were swearing fidelity to their own natural sovereign, and calling God to witness the sincerity of their loyalty. In the session of parliament for this and the succeeding years, they insidiously but quietly effected a complete revolution, which subverted the fundamental laws of the kingdom, and paved the way for the republic and the dictatorship of Argyle, and all the bloodshed and national infamy, distress, and suffering, that followed.

¹ Hist. of the Rebellion, i. 211, 212.—Nelson's Collection, i. 377.

CHAPTER XVII.

GENERAL ASSEMBLIES

PRESBYTERIES, THE COVENANT, AND THE GRAND REBELLION.

1640.—The Covenanting forces rendezvous at Dunse—passage of the Tweed—their proclamation—the military presbytery—passage of the Tyne—Newcastle occupied.—The king repairs to York—his proclamation.—The Covenanters petition the king—earl Strafford's advice—Hamilton's counsel—Leslie's oppression.—Treaty of Rippon—removed to London.—Meeting of the English parliament—and of the Scottish parliament.—A popish plot.—Sir William Boswell's letter.—Plots of the jesuits—Monsieur Conn's intrigues.—Impeachment of the earl of Strafford.—Acts of the English parliament.—Bishops interrupted in their way to the House—Conduct of the Commons.—Reflections.

1640.—IT HAVING BEEN unanimously agreed to invade the realm of England, the covenanting troops rendezvoused at Dunse on the 27th July, where they lingered in inactivity a full month. The passage of the Tweed was made at Coldstream on the 21st of August, when dice were cast to see who should be the leading traitor, and the first to pass the Rubicon. The lot fell on Montrose; "either it was so managed, to test his willingness, and commit him conspicuously in the rebellion, or the fortune was remarkable¹." Sir Alexander Leslie had been again chosen the general; and a declaration was issued, to precede the rebel forces, "wherein they obtest the all-seeing God, that they intended not the least diminution of the king's honour and greatness, nor any prejudice or hurt to England, but only to seek their peace!" To assault the king, and invade the realm of England, appears, to the uninitiated in covenanting casuistry, rather a strange way of "seeking peace and ensuing it;" but such was the hypocrisy of the age, that the worst acts of sedition and rebellion were always reputed to be done for the glory of God, and to make the king the most glorious and exalted monarch in the world!

In this expedition every regiment was attended by a chaplain, who was always "the most eminent of the ministers in the bounds where they were raised;" and, consequently, their parishioners were left without "supply of sermon." Mr. Henderson, Mr. Robert Blair, Mr. John Livingstone, Mr. Robert Baillie, Mr. Andrew Cant, Mr. George Gillespie, and others,

¹ Napier's Montrose and the Covenanters, i. 318.

were vested with presbyterial authority, and were to perform every part of the ministerial functions, proper to them in such circumstances¹."

Notwithstanding all their activity and preparations for war, with the advantage of religious fanaticism in their favour, the rebels might have been easily subdued had the king been made of sterner stuff; but his clemency and repugnance to shed blood, which amounted almost to a monomania, induced him to negotiate and temporize, where he ought to have smitten with the edge of the sword. The insurgents discovered the king's disposition, and were proportionably emboldened in their proceedings, and treated with him more as independent princes than as dutiful subjects; and it was his great mistake to suffer them to assume this unprecedented attitude, from which he was never able afterwards to strike them down. It was an amazing infatuation in Charles, to take a traitor out of the Tower, into his counsels, and put him into a capacity for effectuating a greater damage to his affairs; and it reflects no little discredit on the marquis of Hamilton that he had recommended this fatal measure to his sovereign. But Charles was betrayed and deceived on all hands; and the gentlemen of his bed-chamber were in full correspondence with the Tables, and furnished them with ample intelligence of all his intentions, and with copies of the despatches which he received relating to their movements, so that they were always enabled to anticipate his designs. The Covenanters had taken the initiative in the war, whilst Charles was negotiating with them, and vainly attempting, by concessions and heaping favours on their chiefs, to recal them to a sense of their duty. But, without revenue or munitions of war, he was exposed to the furious assault of a bigotted and implacable faction, whose fundamental principle made rebellion a sacred duty, and who had actually united with papists in order to extirpate popery and the church.

On the 26th of August the Covenanters halted at Frewick, on Newcastle muir, and thence sent letters to the commander of the king's forces and to the mayor, requesting permission to pass through the town, as the king's highway, in order, as they pretended, to lay their grievances before the king. The letters having been disrespectfully sent, by the hands of a common drummer, were not received, but were returned unopened. On this rebuff the Covenanters marched about five miles up the river to a fordable place at the village of Newburn, where they found a detachment of the royal army, posted on the opposite

bank of the Tyne, to oppose their passage. At low water the Tyne is here fordable; and lord Conway, who commanded the royal troops, made but a faint resistance. The Covenanters effected the passage with only the loss of a dozen killed, and five-and-twenty wounded; a circumstance which shews that no effectual resistance had been made, but that lord Conway and his detachment had fled without coming to blows.

On the following day, Leslie, and the committee of parliament, which attended the army as a sort of council of war, wrote to the mayor of Newcastle to provide quarters and provision for their men; which was granted, and the mayor and municipality came out in procession on Sunday morning to meet the general, and conduct him to the mayor's house, where he established his head-quarters. Henderson and Cant were appointed to preach in two of the churches; which they did, on the merits of the covenant, whose fruits had hitherto been only bloodshed and rebellion. It appears, however, that many of the soldiers, who had been forced into the rebel army through the patriarchal power of their landlords, were not so enamoured of the covenant as to fight for it willingly; for Balfour informs us, that they deserted in whole companies, and, wherever secured and brought back, were *decimated* as an example to deter others. "And because many of our soldiers have run away, which may be an occasion to the whole army to mutiny, whereof some ran away in whole companies, who were brought back, *and the tenth man hanged.*" Had Charles acted with so much cruelty and vigour he would have been much better served, and some of those who were now in arms against him would have justly met the fate of traitors; but mere justice like this, when exercised by him, would have been counted tyranny and cruelty, and arbitrary power. Clarendon calls lord Conway's flight "an infamous and irreparable rout;" but, as he also says, he was a man who "had no kind of sense of religion, and thought all was alike," it is probable that he may have wished well to a religion which was one entirely of hypocrisy and outward show¹.

The shameful flight of the horse was imitated by the infantry, which had not been brought forward; but on hearing of the rout of their advanced guard, they left the town precipitately. So unexpected was this victory, that the Covenanters were uncertain how to act, being unacquainted with the full retreat of the royal troops; and when they took possession of

¹ Clarendon's Hist. of Rebellion, i. 231 33.—Balfour's Annals, ii. 383-88.—Stevenson's Church and State, 447-48.—Guthry's Memoirs, 70.

Newcastle, they secured the royal magazine both of arms and provision, and finding the traitor Colville, who had been the bearer of their letter to the king of France and Cardinal Richlieu, they set him at liberty. By this shameful defection of the lord Conway, the Covenanters gained the first impression of victory, which encouraged their troops and their friends at home, besides it confirmed the wavering, and brought many accessions to their body. In an equal degree it dispirited the royalists, who, although they were so much more numerous than the rebels, yet, from dispersion and retirement, were unconscious of their strength.

On hearing of the march of the Covenanters, the king repaired to York, and there was apprized of the disgraceful flight of lord Conway's division; where he issued a proclamation, declaring all Scotsmen who should enter England in an hostile manner, and those who assisted them, to be traitors, and liable to incur the penalties of high treason: yet he declared his readiness to forgive the rebels if they would return to their obedience, and solemnly professed that he never did or would hinder his Scottish subjects from enjoying their religion or liberties according to the civil and ecclesiastical laws of the kingdom. The Covenanters also published two papers, on their entry into England, to justify their invasion, on the score, they said, of seeking a thorough reformation of religion, and in obedience to that clause of their covenant which bound them to extirpate the church. These two papers contained the seeds of the English puritans' rebellion, and shew the utter perfidy of the Covenanters, who violated their fairest promises almost with the same breath that they had made them, and that there was a secret confederacy betwixt them and a party in England. Charles was surrounded, even in his domestic circle, with traitors, and an intercepted letter shews that even the queen was playing the game of the jesuits:—"Trust me," says the writer, "for I heard it from the best of them, and therefore provide as you write, and advertise the honest and true lads that are near you, and they may advertise others which are of the faithful; for we know as well what the honest king does in his bedchamber as that papist wench that lies by his side, who is the only animator of the best sort of men that are against us ¹."

As soon as the Covenanters had taken possession of Newcastle, they laid the town and surrounding country under contribution. The royalists retreated into Yorkshire; and as the

¹ Nalson's Collections, 509-11.

Covenanters were unopposed, the chiefs addressed a petition, with the sword in their hand, to the king, who in reply desired them to come to particulars, and state really what were the grievances to which they had only alluded in general terms. He at the same time informed them that he had summoned a meeting of the peers of England, on the 24th of September, by whose advice he should act. They returned a list of their demands, more in the style of independent powers than the petition of subjects, that he would confirm all the ordinances of their late parliament—deliver the fortresses of the kingdom into their hands—exempt their friends from all such oaths as were inconsistent with their covenant—that the common incendiaries, who have been the authors of this combustion, may receive their just censure—that the losses and charges of the Covenanters may be restored—that the declaration of traitors may be recalled, and all garrisons removed from the borders¹. While they were thus insulting the king, they were not forgetful of their secret friends in London; they made a merit of allowing the free trade in coals to the metropolis, and they despatched an emissary with a letter to the lord mayor, on the 9th September, to solicit him to embarrass the king with an urgent petition for the meeting of parliament. This the lord mayor and aldermen immediately did; and at the same time, to add still more to the king's embarrassment, twelve peers sent forward a petition for the same object. His majesty was much affected at these unseasonable petitions, and their taking advantage of his distress to press their own desires, instead of enabling him to combat and beat back the invading enemy.

The earl of Strafford alone gave the king the best counsel, of paying the rebels with steel, and prosecuting the war with vigour, taking the initiative, and not to stand on the defensive. He urged the king not to treat with rebels having arms in their hands, and neither to give nor accept terms from them in their present position. He intreated his majesty to give him leave to fight them, when he did not doubt of being able to drive them back, and to reduce them to obedience. This manly and loyal counsel was immediately communicated to the Covenanters at Newcastle, by their bed-chamber friends, and so enraged them, that they never ceased to pursue the earl of Strafford till their friends and allies in the English parliament brought him to the block. With the design of secretly favouring the invaders, the marquis of Hamilton earnestly ad-

¹ Nalson's Collections, i. 434.

vised the king to enter into a treaty with his rebels, and most of the peers were of the same opinion, and also advised the king to call a parliament in England, as most expedient in the present circumstances, and so to avert the danger with which they were threatened¹.

Charles agreed to the advice thus pressed upon him by the peers, and he nominated Rippon, and the 1st of October, as the time and place of meeting. In the meantime, Leslie had laid in provision and forage for his winter quarters at Newcastle, and had seized the rents of the bishop and the dean and chapter of Durham, and also of all the popish and loyal gentry of the northern counties. "Great," says Nalson, "were the disorders and insolencies which these barbarous pretenders to religion and reformation committed; they treated the counties where they lay as a conquered people, and even when they pretended to fight for the security of laws, liberty, and religion, they trampled them all under their feet, and without sense of religion they made their will their law, and arbitrarily imposed taxes upon his majesty's subjects²." Among the Scottish commissioners who met at Rippon, were Johnston of Warriston, and Alexander Henderson; the English commissioners were those noblemen who had petitioned in favour of the Scots and for the meeting of a parliament; so that the commissioners on both sides were of the same mind, and decided enemies of the king. The conclusions of the last parliament formed the basis of the terms to be insisted for by the Scots; and they were instructed to demand £40,000 per month for the pay and maintenance of their army. The English commissioners heard complacently all the complaints of the Covenanters, who cunningly mixed up some of the grievances of which the English puritans complained, which pleased the king's commissioners, who made no defence for their royal master, nor reduced the complaints of their antagonists. But the king being in no condition to comply with the extravagant demands of the Covenanters, the treaty was adjourned to London, whither the king also returned. During the interval, the Scotch commissioners tampered with the people, whilst Henderson and some other covenanting ministers inflamed them by seditious sermons in St. Antholine's church, which had been set apart for their use. "Our puritans," says a reverend author, "were but dull trumpeters of sedition;

¹ Nalson's Collections, i. 438.—Balfour's Annals, ii. 394-407.—Guthry's Memoirs, 74.

² Collections, i. 440.

they, for fourscore years together, had been preaching and writing to little purpose, but these gentlemen in a trice brought on the cry of '*no bishop, no prelacy*.' These were their tutors throughout the whole chapter they were to learn, beginning with a *godly and thorough reformation*, and ending with '*Curse ye Meroz,*' and '*the sword of the Lord and of Gideon.*' By these means the affections of the citizens were alienated from the king before the meeting of parliament. A cessation of hostilities having been agreed to at Rippon, the Covenanters remained in their quarters at Newcastle; but the better feelings of Montrose and some other noblemen began to operate, and their eyes to be opened to the designs of their confederates. Montrose had been in secret correspondence with the king, and copies of their letters had been regularly forwarded by their friends about the king to the Covenanter chiefs, and they now accordingly challenged him as a secret friend to the king; but he found means for the time being to deprecate their wrath.

On the 3d of November the fatal LONG PARLIAMENT of England met, and began, as formerly, with an enumeration of grievances, which, with the assistance of their Scottish allies, were now exceedingly aggravated, and the addition of an alarm that the king intended to subvert the whole frame of the English constitution. Encouraged by the king's weak compliances, they began to pour out their indignation on the earl of Strafford and the archbishop of Canterbury, both of whom they eventually brought to the block. The king prohibited by proclamation all papists from approaching the court, or within ten miles of London; and he also commanded a day to be set apart for general fasting and humiliation¹. While the king was vainly endeavouring to conciliate the Scottish Covenanters and English puritans, the former were busy in augmenting their army, and in levying contributions on those counties of which they had military possession. A reinforcement of 4000 men, under the command of Monro, was sent to Newcastle by the Tables, and the earl of Eglinton, with another division, was held in readiness to march. The parliament also met at Edinburgh on the 19th of November, and adjourned till the 14th of January, 1641. No commissioner appearing, lord Burleigh was again elected president. The king himself prorogued the parliament, by letter, till the 13th of April, to the effect that he might in the meantime maturely

¹ Balfour's Annals, ii. 424.

conclude and resolve upon such things as might most conduce for the good of his service, and the peace and true happiness of his ancient kingdom¹.

In the end of this year, sir William Boswell discovered, through the medium of Mr. Andrew ab Habernfield, a secret convert from popery, that there was a deep and extensive plot devised and conducted by the jesuits, having its seats at Rome, Brussels, and London. In his letter to archbishop Laud, he states,—3. That the Scottish troubles are raised to the end that under this pretext the king and the archbishop might be destroyed. 6. That a certain society hath conspired, which attempts the death of the king, the archbishop, and the convulsion of the whole realm. 10. That very many about the king, who are accounted most faithful and intimate, to whom likewise the most secret things are entrusted, *are traitors to the king*, corrupted with a foreign pension, who communicate all secrets of greater or lesser moment to a foreign power. The chief agents were a Monsieur Conn, who lived in London as the pope's legate, and cardinal Barbarino, who resided at Brussels. Habernfield also stated, that all those factions with which christendom is at this day shaken, do arise from the jesuitical offspring of Cham, of which four orders abound in the world:—1. The first order are ecclesiastics, whose office is to take care of things promoting religion. 2. The second order are politicians, whose office it is by any means to shake, trouble, and reform the state of kingdoms and republics. 3. The third order are seculars, whose property is to intrude themselves into offices with kings and princes, to insinuate and immix themselves in court businesses, bargains, and sales, and to be busied in civil affairs. 4. The fourth order are intelligencers or spies, men of inferior condition, who submit themselves to the services of great men, princes, barons, noblemen, citizens, to deceive or corrupt the minds of their masters. 2. A society of so many orders the kingdom of England nourisheth: for scarce all Spain, France, and Italy, can yield so great a multitude of jesuits as London *alone*; where are found more than fifty Scottish jesuits. There the said society hath elected to itself a seat of iniquity, and hath conspired against the king, and the most faithful to the king, especially the lord archbishop of Canterbury, and likewise against both kingdoms. 3. For it is more certain than certainty itself, that the forenamed society hath determined to effect an universal reformation of the kingdoms of England and

¹ Balfour's Annals, ii. 426.

Scotland. 4. Therefore, to promote their undertaken villainy, the said society dubbed itself with the title of the "CONGREGATION FOR PROPAGATING THE FAITH," which acknowledges the pope of Rome the head of the college, and cardinal Barbarino his substitute and executor. 5. The chief patron of the society at London is the pope's legate; into whose bosom these dregs of traitors weekly deposit all their intelligences. 6. Master Cuneus [Conn] did at that time enjoy the office of pope's legate, an universal agent of the conjured society, and a serious promoter of the business; whose secrets, as likewise those of all the other intelligencers, the present good man, the communicator of all these things, did receive and expedite whither the business required¹.

His majesty was made acquainted with this intelligence at York, by the archbishop, in the most secret manner, lest the gentlemen of his bed-chamber should discover the letter, and communicate its contents to the plotters. It is a decided vindication of both the king and the archbishop from the calumny attempted to be fixed upon them of having a design to introduce popery; and it shows how deeply Richlieu and the jesuits were implicated in the rebellions in both kingdoms, and that popery was the fatal originator and agent that plunged these kingdoms into the miseries of the grand rebellion, and brought these two illustrious men to violent deaths. For these serpents, the jesuits, who crawled about in disguise both in the court and country, mutually exasperated them against each other. They animated the king against his subjects as if conspiring against his crown and dignity; and they inflamed the subjects against the king, as if he had designed to subvert the religion, the laws, and liberties of his people. Sir William Boswell informed the archbishop, that one James Murray, a Scotchman, and John Napper, a Yorkshireman, who pretended to be puritans, were principal agents in fomenting the troubles in Scotland. "The main drift of their intentions," and of the jesuits, "is to pull down the English episcopacy, as being the chief support of the imperial crown of our nation; for which purpose above sixty clergymen are gone, within these two years, out of the monasteries of the French king's dominions to preach up the Scotch covenant, and Mr. Knox's descriptions and rules within that kirk, and so spread the same about the northern counties of England. . . . There are great preparations making against the liturgy and the ceremonies of the church of England; and all evil contrivances here, and in France, and in

¹ Nelson's Collections, i. 476.

other protestant holdings, to make your grace and episcopacy odious to all reformed protestants abroad."

Conn made great efforts to insinuate himself into the friendship and confidence of archbishop Land; and, in order to allure him to popery, he had pontifical authority to offer him a cardinal's hat; but which he indignantly rejected. When Conn saw that Land was not to be corrupted, "his malice, and the whole society's, waxed boiling hot. Soon after ambushes began to be prepared, wherewith the lord archbishop, together with the king, should be taken. Likewise a sentence is passed against the king, because nothing is hoped from him which might seem to promote the popish religion." The punishment of the leading puritans, Prynne, Bastwick, and Burton, gave the first impulse to the treason, and which "was so much exaggerated by the papists to the puritans, that if it remained, they said, unrevenged, it would be thought a blemish to their religion—the flames of which fire the subsequent book of prayer [for Scotland] increases." It was the design of Conn and his party to have poisoned the king; but the malice of their pupils, the puritans, took another method of dispatching him. Richlieu supplied the Covenanters with arms, and sent a jesuit, of the name of Chamberlain, into Scotland, who assisted in propagating the covenant, and who maintained an influence over the marquis of Hamilton, through the medium of one of his chaplains.

The Commons of England impeached the earl of Strafford, who made an excellent defence, although his papers had been seized, and detained from him; and he made it evident, that though he had used an excess of power while lord-lieutenant of Ireland, yet that he had not been guilty of treason. So strong in innocence was Strafford, that it became necessary to charge those lawyers who pleaded his cause as conspirators in the same treason of which they accused him. "Both the houses agreed to sit together in the large outer hall of Westminster; that the lower house shall sit there . . . as a committee, without their speaker, to remove when they will to their own house; that they shall manage the process and witnesses as they find meet; that for matter of fact there shall be no counsel; that in matter of right, when his counsel shall interpret a law *against their mind*, in that case they will retire to their own house, and as they are undoubtedly conjunct makers of laws with the peers, they will also be conjunct-*interpreters* of any controverted law. Mr. Stroud, the other day, fell on a notion, to which the most did greedily grip [lay hold] . . . that they had charged Strafford of high treason; that

they had found the articles of the charge treasonable; that they had voiced their witnesses' depositions to be satisfactory: so it concerned them to *charge as conspirators in the same treason* all who had before, or should thereafter plead in that cause!" Baillie, in evident delight, says, "if this hold, Strafford's counsel will be rare. . . . When at once the *head* of Strafford and the *root* of episcopacy is stricken at, there are some blind fears that the king, not yet being able to abide it, may yet hazard the breaking up of the parliament¹." The impeachment was turned into an attainder, and both Houses passed the bill without much opposition. The king refused to accede to such manifest injustice; but his scruples were overcome by a most jesuitical distinction, which was pressed upon him by bishop Williams, betwixt his public and his private conscience, on which the noble marquis was beheaded. So greedily was the blood of Strafford and of Laud thirsted after by the covenanters, that Principal Baillie, in one of his letters from London to the presbytery of Irvine, says, "but that which is the great *remora* to all matters is the *head* of Strafford; as for poor Canterbury, he is so contemptible, that all cast him out of their thoughts as a pendicle to the lieutenant's ear²."

Although the parliament had withheld all supplies for the service of the king, yet they voted a sum of £300,000 to the Scottish rebels, who still kept military possession of the north of England. This money was borrowed from the city, and its repayment was made a pretext for holding triennial parliaments, and afterwards for perpetuating the present one. Baillie, in one of his letters giving an account of the proceedings in England, says, "The other day it passed the House unanimously, that they should have annual parliaments, or at least triennial; and if the king did not call them, the sheriffs should give out letters for choosing commissioners in the shires against such a day. If the sheriff did not summon, and if the persons chosen did not appear at the time and place named, it should be *felony, loss of life and lands*; that for fifty days, upon no discharge, they should rise:—a terrible act! nothing yet done in Scotland that seems to strike so much at royal prerogative. It is thought it will pass the higher House also, albeit with some more difficulty."

Acts were then passed for regulating the power of the privy council, and for abolishing the star-chamber—for taking away the high commission court—for voiding the proceedings in the matter of ship-money—and for taking away the bishops'

¹ Letters, i. 309.

² Baillie's Letters, i. 309.

votes ; and riotous mobs were excited to enforce it. The officers of the army had addressed the crown, and professed their loyalty and attachment, which was made a pretence by the Commons for desiring a guard, which was granted, and a strong police force was appointed to protect both Houses of parliament. This, however, was soon voted a breach of privilege ; for this species of guard prevented that intercommunion with the rabble which was now become necessary for their support, and who, on the removal of the police, again surrounded the House, with a cry of *No bishops ! no prelacy !* and riotously prevented the bishops from taking their seats in the upper House. The bishops protested against this interruption as a most violent breach of the privileges of the House of Lords, and that all the proceedings during their forced absence should be *null in law*. This factious proceeding having been promoted chiefly by lord Kimbolton and five members of the House of Commons, the king exhibited articles of high treason against them, and there was sufficient guilt to have hanged them ; but the king's unfortunate propensity to clemency, and his tenderness for the privileges of parliament, made him send a messenger to the House, with a demand that they might be delivered up. Instead of complying, however, the Commons passed a resolution, " that if any person *whatsoever* should offer to arrest or detain any member of that House, without first acquainting that house therewith, and receiving further orders from thence, it should be lawful to such member to stand upon his guard and make resistance, and for any person to assist him." Here, then, is high treason and rebellion made lawful by a vote of the House of Commons ! The king was unfortunately advised by lord Digby to compromise his dignity by going to the house the next day, and demanding the members in person. Having received previous notice of this step, the house sent away their guilty members ; and when the king came they just heard his demand with sullen countenances, but with no responsive attention. On his departure they adjourned for a few days, and ordered a grand committee of the members to meet in Merchant-Tailors' Hall, where they laid the train of their future rebellious courses.

When the house met again, they voted the king's visit to the house a high breach of the privilege and freedom of parliament, and that for the future they could not venture to sit without a sufficient guard in whom they could confide. Even the king could perceive that the object of this guard was to coerce him by arms ; and the insolence of the mob having now become intolerable, he retired to Hampton Court. The guard

having once been proposed, petitions were presented praying that the command of the militia might be vested in the parliament; which the Commons, indeed, were now determined to have, either by law or force. They knew that the latter method would have been high treason and rebellion; and therefore they adopted the specious plea of self-defence. They alleged that the king had levied war on his parliament, and they impeached lord Digby of high treason before the peers, for having dined with a few military officers at Kingston-on-Thames; and who, after dinner, waited on the king at Hampton Court, which they construed into levying war against the parliament. After this flimsy excuse, they proceeded with a bolder hand to ravish all power, and every act of sovereignty, from the king. They placed a new lieutenant in the Tower, and nominated the governors of all the forts in England. The king could not be persuaded to pass the militia bill; and therefore they took the command of that body by an ordinance of their own. After the king had disbanded his army, the whole of his artillery, arms, and ammunition, were deposited in Hull, which was then a fortified town. The Commons now sent sir John Hotham, one of their members, to take possession of Hull; and soon after they seized on the navy. Being now stripped of almost the whole sovereignty, and fearing lest the parliament should next attack his person, he retired into the north, and raised a troop of guards, under the command of the prince of Wales, for his personal security. The Commons voted this precautionary act a great cause of terror to the people and of jealousy to the parliament, and sent an address to the king to disband the troop; and at the same time they ordered the stores in Hull to be removed by sea to London, to prevent the king from getting possession of them, and to be more at their own disposal. In short, we may say with Hallam, in his Constitutional History, "that when Hotham, by their command, shut the gates of Hull against his sovereign, and when the militia was called out in different counties by an ordinance of the two houses,—both which preceded by several weeks any levying of forces for the king,—the bonds of our constitutional law were, *by them and their servants, snapped asunder*; and it would be mere pedantry and chicane of political casuistry to inquire, even if the fact could be better ascertained, whether, at Edgehill, or in the minor skirmishes that preceded, the first carbine was discharged by a cavalier or a roundhead. The aggressor in a war is not the first who *uses* force, but the *first who renders force necessary*."

Religion was merely the pretence for the origin of the

rebellion in Scotland, and which he noble leaders in it assumed to gain the ministers to their side; and had the king been served by honest men, and had he himself acted with more firmness and vigour, and not have allowed his own good sense to be disfigured by deference to persons of inferior capacities to his own, the discontents of the nobility had never gone further than words. Their fierce fanatical hatred of the king was inflamed by the dark and sanguinary preachers of the Covenant which was a perpetual bond of rebellion, who derived their theology from a perverted study of the Old Testament kings and prophets, that were the ministers of divine wrath, and by divine appointment, on the wicked and unrepentant. In all ages religion has ever been made a cloak to cover other and baser motives for sedition and rebellion, which are sins at utter variance with religion. "For the present troubles in Scotland, *novations* in religion are so far from being known to be the true cause, as that it is manifest to any man that will look upon it with a single eye, that temporal discontents, and several ambitions of the great men which had been long a working, were the true cause of these troubles; and that religion was called in upon the bye, to gain the clergy, and by them the multitude¹." The king was firmly attached to the church of England, and never entertained the most remote intention of undermining it himself, or of suffering others to *extirpate* it. "For," says he, "we call God to record, before whom we stand, that it is, and always hath been, our heart's desire to be found worthy of that title, which we account the most glorious in all our crown, DEFENDER OF THE FAITH; neither shall we ever give way to the authorising of any thing whereby any innovation may steal or creep into the church, but preserve that unity of doctrine and discipline established in the time of Queen Elizabeth, whereby the church of England hath stood and flourished ever since. And as we were careful to make up all breaches and rents in religion at home, so did we, by our proclamation and commandment for the execution of laws against priests and popish recusants, fortify all ways and approaches *against that foreign enemy*; which, if it have not succeeded according to our intention, we must lay the fault where it is, in the subordinate officers and ministers in the country, by whose remissness jesuits and priests escape without apprehension, and recusants from those convictions and penalties which the laws and our commandments would have inflicted on them. For we do profess that, as it is our

duty, so it shall be our care, to command and direct well ; but it is the part of others to perform the ministerial office. And when we have done our office we shall account ourself, and all charitable men will account us, innocent both to God and men ; and those that are negligent we will esteem as culpable both to God and us ; and therefore will expect that hereafter they give us a better account. And as we have been careful for the settling of religion and quieting in the church, so we are not unmindful of the preservation of the just and ancient liberties of our subjects, which are secured to them by our gracious answer to the petition in parliament, having not since that time done any act whereby to infringe them ; but our care is, and hereafter shall be, to keep them entire and inviolable as we would do our own right and sovereignty, having for that purpose enrolled the petition and answer in our courts of justice¹."

¹ *Elkon Basilike*, ii. 17-18.

CHAPTER XVIII.

GENERAL ASSEMBLIES.

PRESBYTERY AND THE SOLEMN LEAGUE AND COVENANT.

THE GRAND REBELLION.

1641.—Meeting of the estates—adjournments.—Traquair prosecuted.—Montrose's band.—A declaration of grievances.—Covenanters denounce archbishop Laud—his refutation—his impeachment.—Montrose suspected.—Speech of Argyle.—Montrose sent to the Castle.—A brotherly assistance from the Long Parliament—and meeting of the Assembly at St. Andrews.—King's letter.—Translation of the Assembly to Edinburgh.—Henderson moderator.—Acts.—Purgation of the universities.—Assembly's opinion asked of Montrose's Band.—Letter from the English puritans.—Assembly's answer.—Kirk of Campvere.—Meeting of parliament.—Attempt to introduce the ministers into parliament.—King's friends arrested.—Traquair.—King leaves London for Edinburgh—and presides in parliament—his speech—his first fatal concession.—London made chancellor.—Grant to St. Andrews.—A fast.—The bishop of Moray, Montrose, and others, discharged from prison.—Rising of parliament.—Promotions in the peerage.—Parliament prorogued.—The king's departure for London.—Political movements.—Carnwath.—A plot pretended—The bench purged.—Conservators of the peace.—The king's concessions, and their effects.—Promotions.—Church property distributed.—Discontent of the ministers.—Acts of the Glasgow Assembly ratified.—The preferments unjustifiable.—Irish rebellion.—Coincidence between the popish and covenanting rebels.—Brief notices of the church of Ireland.—James' plantation of Ulster.—Popish schism.—Discontent of the native Irish.—State of the church in Ireland.—Earl of Strafford—state of the church in his time.—Scottish episcopal clergy seek shelter in Ireland.—State of popery in Ireland.—Commencement of the rebellion.—Lords justices warned of their danger.—Sir Phelim O'Neale chief of the insurrection.—The massacre.—The activity of the popish priests—their cruelties.—Many perished of cold and hunger.—Papists encouraged by the success of the covenanters.—Eikon Basilike.—Ulterior views of the covenanters.—Movements of the women.—Ultimate understanding betwixt the covenanters and the puritans.—Lauderdale and Dumfermline's ingratitude.—Resolution to impose the covenant on England.—Inconsistency of the Covenanters.—A revolution.—Lay elders.

1641.—The cloud which had arisen in the North, and was at first no bigger than a man's hand, and which, with proper

exertion of the royal authority, might have been easily dissipated, had now increased to such a portentous size, that the heavens were black with the clouds and wind of open rebellion. The kingdom was in a mighty distemper, and the disease was contagious, and infected the rest of the king's dominions. It was, in the words of lord Napier, the falling sickness whence men's hearts fell from their obedience and duty to the king, having been tormented with *unreasonable* fears that he intended to establish popery and superstition, and destroy the liberties and laws of his kingdoms¹. Yet, with all these fears, so great was the excitement which was artfully kept up by the committee of parliament, that the people were blind to the revolutionary changes which had been effected, in opposition to the king and destruction of their own liberty and religion, by the very men who had promoted such a calumny on the king.

The estates of parliament met, according to their own act of adjournment, on the 14th of January, and the king's advocate produced his majesty's warrant for their further adjournment till the 13th of April. They proceeded, notwithstanding, to business, and re-elected the lord Burleigh as the president. An act of continuation was passed, declaring the parliament current, and which was proclaimed by the heralds at the market cross. They next re-established the committee, in whose hands the whole government of the kingdom was reposed, and at the head of which was the earl of Argyle, and then they adjourned till the 13th of April, when they again met, and were again adjourned by his majesty's warrant till the 25th of May. On that day the parliament was again prorogued by the king's warrant till the 15th of July, at which time the king promised to be present himself. At all these meetings the lord Burleigh was elected president for the session. At this meeting an act was passed to prosecute the earl of Traquair, as one of the chief incendiaries, and a warrant was dispatched to the commissioners at London to direct them to return; and another act was passed to prohibit the king's advocate, or any one employed by the king, from acting as his counsel, or for any other of those whom they called incendiaries, under the pain of high treason.

In the meantime the committee commenced that vigorous persecution against the loyal noblemen, who had entered into a band or association for the preservation of the monarchy, which, if the king had adopted in time against his enemies, he need not have been in his present distress. A band had been

¹ Napier's Montrose and Covenanters, i. 424.

entered into by Montrose, and some other conservative noblemen, "to save the monarchy and the best interests of the country from that rampant democracy of which they eventually became the prey, and the simple design was to persuade his majesty to come in person to Scotland, to satisfy the people on the subject of 'religion and liberties,' and there to save the prerogatives of the crown from the lawless attacks of a grasping faction¹." This association was kept a profound secret; yet it was suspected that something of the kind was in existence, and which was confirmed by the lord Boyd, who made some mysterious allusion to it on his death-bed. Argyle's guilty conscience took the alarm, and he paid a visit to lord Almond, at Callender, who, in the unsuspecting confidence of private friendship, communicated the whole affair to the dictator, who reported it to the committee. Montrose, and as many of the associates as could be found, were cited to appear. They frankly acknowledged the band by which they were united to preserve the monarchy from the usurpation of unprincipled men, that made a cloak of religion. They were declared censurable by the committee; but some of the presbyterian ministers pressed that they might be *executed* as traitors, and which would have been done, had not Argyle considered that they were too powerful to take such a violent course with them. The affair was therefore patched up by a mutual compromise, and the banded lords made a written declaration that they intended nothing against the public peace. They surrendered the band itself, and it was burnt by order of the committee².

A treaty was concluded betwixt the king and the Scottish commissioners, and as their lip-loyalty was so great, he naturally concluded that they were sincere in their professions; but he was soon undeceived. They issued a declaration of their grievances, with which they artfully mixed up some of the puritan complaints, and expressed their zeal against episcopacy in England, and for the earl of Strafford and the archbishop of Canterbury's blood. Dr. Laud says, "I was made the author of all, and presently a committee put upon me to inquire into my actions, and prepare a charge. The same morning, in the upper house, I was named as an incendiary in an accusation put in by the Scottish commissioners: for now by this time they were come to that article of the treaty which reflected upon me. And this was done with noise, to bring me yet farther into hatred with the people, especially the Lon-

Napier's Montrose and Covenanters, ii. 422.
Ibid. and Guthry's Memoirs, 77-78.

doners, who approved too well of the proceedings of their brethren the Scots, and debased the bishops and church government in England. The articles which the Scots put into the upper house (by the hands of their lords commissioners, against me, December 15th), were read there December 16th. I took out a true copy as it follows here." This charge consists of three long articles; but the whole is pithily condensed into the preamble, and which is as follows:—

"The novations in religion (which are universally acknowledged to be the main cause of commotions in kingdoms and states, and are known to be the true cause of our present troubles) were many and great; besides the Books of Ordination and Homilies. 1st. Some particular alterations in matters of religion, pressed upon us without order and against law, contrary to the form established in our kirk.—2dly. A new Book of Canons and constitutions ecclesiastical.—3dly. A Liturgy, or Book of Common Prayer; which did also carry with them many dangerous errors in matters of doctrine. *Of all these we challenge the prelate of Canterbury, as the prime cause on earth*¹."

All these charges, however, "the prelate of Canterbury" triumphantly refuted, and proved that he merely acted by his majesty's commands, as dean of the chapel-royal, in conveying his majesty's instructions to the Scottish bishops, and receiving their answers, and laying them before the king. It was charged against him, that he had inserted in the Scottish liturgy the doctrine of transubstantiation; but he says, "they must pardon me; I know it is *not* there." They cited the prayer of invocation to prove their position; but he says, "the change here [in the elements] is made a work of God's omnipotency. Well, and a work of omnipotency it is, whatever the change be; for less than omnipotence cannot change those elements either in *nature* or *use* to so high a service as they are put in that great sacrament. And, therefore, the invoking of God Almighty's goodness to effect this by them, is no proof at all of intending the *corporal* presence of Christ in this sacrament. 'Tis true this invocation is not in the prayer of consecration in the Service-book of England; but I wish with all my heart it were. For though the consecration of the elements may be without it, yet it is much more solemn and full by that invocation²." Archbishop Laud's defence was given in to the House of Lords, and sent to the Commons, who had

¹ Troubles and Trial, pp. 86, 87.

² Ibid. p. 121.

no articles drawn up, but immediately came up in haste and impeached the archbishop of high treason, when he was committed to the Tower. The covenanting commissioners were in league with the leaders of the movement among the Commons, and the whole charge of impeachment and imprisonment of the "prelate of Canterbury" was well understood and arranged beforehand. He fixes the brand of ingratitude on the Scots commissioners; for, says he, "the Scottish nation in general, the city of Edinburgh in special, and very many particular men of good worth, and some men of honour, besides clergymen of all sorts, during the time I had interest in court, have been more beholden to me than to any ten English subjects of what rank and condition soever, and this his majesty knows, and I dare say will witness. And for their present afflictions of which they speak, the current of this discourse will shew to the indifferent reader what a principal means I have been of them. In the meantime, I little deserved from them the name of 'this great firebrand,' for many of them have warmed themselves at me, but yet I never fired any of them¹."

Suspicion of Montrose's loyalty now haunted the minds of Argyle and the committee, and that gallant nobleman again fell into trouble after the adjournment of parliament on the 25th of May. The reverend John Graham, of Auchterarder, was challenged by the committee for a speech which he had uttered to the disparagement of Argyle. He acknowledged his speech, and gave the reverend Robert Murray, minister of Methven, as his authority; and who, being present, confessed having given the information, and said he had received it from the earl of Montrose. His lordship admitted having said that "when the earl of Athol and those eight gentlemen with him, whom my lord Argyle made prisoners, were in Argyle's tent at the ford of Lion, Argyle spoke publicly to this sense—'that they had consulted both lawyers and divines anent the deposing of the king, and had gotten resolution that it might be done in three cases—1, Desertion; 2, Invasion; 3, Vendition; and that once they thought to have done it at the last sitting of parliament, and would do it at the next sitting thereof.' Montrose asserted that he had received his information from Mr. John Stuart, commissary of Dunkeld, who was present in Argyle's tent when these words were spoken." To prevent his enemies from tampering with Stuart, or of inducing him to quit the king-

dom and leave him wholly to Argyle's vengeance, Montrose sent some friends to Dunkeld to bring Stuart to Edinburgh, where he arrived on the 30th of May, and the next day appeared before the committee, and subscribed a paper bearing all that Montrose had said in his name. Argyle broke out into a passion, and with great oaths denied the whole and every part of this accusation, which excited considerable astonishment amongst his associates, who knew better. Stuart was committed to the castle, and a few days afterwards lord Balmerino and lord Dury were sent by the committee to examine and draw him out; and, says Guthry, "they did try another way with him, and dealt with him, that he would rather take the task upon himself than let Argyle lie under such a blunder." They persuaded him that by exculpating Argyle he might save his own life, which was now in hazard, and who would prefer and enrich him; therefore Stuart agreed to assert that he had told a lie, and wrote a letter next day to the effect that he himself had forged the story out of malice to Argyle. He went farther, and alleged that by the advice of Montrose, lord Napier, sir George Stirling of Keir, and sir Andrew Stewart of Blakhall, he had sent a copy of Argyle's speech to the king by the hands of Captain Walter Stewart. The captain was arrested on his return with despatches from the king to Montrose and Napier, and sent to the castle. Montrose and the other gentlemen were likewise committed to the castle, a manœuvre which removed the king's friends from all intercourse with him when he arrived in August. The lord advocate gave it as his opinion that although Mr. Stuart had removed the guilt of treason from Argyle, yet, because the world might allege that he had been bribed, which in fact he was, to make a recantation, he ought to suffer, for Argyle's vindication and future safety. Without any form of trial, but simply upon his own simulated confession, he was beheaded in the month of July. Bishop Guthry relates these circumstances as of his own knowledge, having been chosen by Stuart to attend him in his last moments, from whom he had the whole relation, and who blamed himself much for having, by asserting an untruth, been accessory to his own death in the preposterous hope of saving his life, after having implicated so implacable and powerful an enemy as the earl of Argyle. "Alas!" says Mr. Napier, "the plotters" were sent to the castle on the 11th of June thereafter, and when Charles arrived in Scotland he was welcomed only by his enemies. He had just been compelled to sign the death-warrant of his greatest statesman in England, and now, the few who struggled to save his honour and his

crown in Scotland were prisoners of the same merciless faction¹."

The treaty of London having been terminated, the Scottish commissioners were daily expected to return. They obtained all their desires, and not only that the arrears of £850 per diem should be paid to the Scots army at Newcastle, but the long parliament made them a present of £800,000, under the name of "*brotherly assistance*." This was joyful news to the chief Covenanters, each of whom calculated on his own share of the spoil; but the royalists were dismayed at it, as they judged, and not without reason, that the Long Parliament would not have been so prodigal of their money unless there had been some secret understanding of assistance betwixt them and the Covenanters, when they themselves were ready for action.

According to the ordinance of the Assembly which met at Aberdeen, the Assembly of this year met at St. Andrews on the 20th of July, when Andrew Ramsay, the former moderator, took the chair; and John earl of Weymss, the royal commissioner, presented his majesty's letter, as follows:—

"Trusty and well-beloved, we greet you well. It is no small part of our royal desires that the true reformed religion, wherein, by the grace of God, we resolve to live and die, be settled peaceably in that our ancient and native kingdom of Scotland, and that the same be truly taught and universally received and professed by our subjects there of all degrees. For preventing of all division and trouble hereafter, we did intend in our own royal person to have been present at this Assembly; but conceiving it to be unfitting to detain the ministers from their particular charges till the time of our coming to the parliament: We have resolved to make known unto you by these presents, and by our commissioner, that in the approaching parliament, it is our intention by our authority to ratify and confirm the constitutions of the late Assembly at Edinburgh, that they may be obeyed by all our subjects living in that our kingdom. And that we will take into our royal consideration by what means the churches belonging to our presentation, when any of them shall happen to vaik, may be best provided with well-qualified preachers. Likeas we are not unwilling to grant presentations unto such as in these times of trouble have entered into the ministry, providing they have been examined by the presbyteries, and approved by them; because we want not our own fears of the decay of learning in that church and kingdom. We intend also to consider the best means for

¹ Napier's Montrose and Covenanters, li. 432.—Guthry's Memoirs, 79-81.

helping the schools and colleges of learning, especially of divinity, that there may be such a number of preachers there, as that each parish having a minister, and the gospel being preached in the most remote parts of the kingdom, all our subjects may taste of our care in that kind; and have more and more cause to bless God that we are set over them. And finally, so tender is our care, that it shall not be our fault if the churches and colleges there flourish not in learning and religion. For which royal testimony of our goodness, we require nothing on your part, but that which God hath bound you unto, even that you be faithful in the charge committed unto you, and care for the souls of the people. That you study peace and unity amongst yourselves and amongst the people against all schism and faction; and that you not only pray for us, but that you teach the people, which we trust are not unwilling to pay that honour and obedience which they owe unto us, as His vicegerent set over them, for their good; wherein we expect you will, by your good example, go before them. Which hoping you will do, we bid you farewell. From our court at Whitehall, the 10th day of July, 1641¹."

Many of the lay elders of this Assembly were likewise members of the parliament which was then sitting at Edinburgh; and it is curious to observe how much greater deference this Assembly exhibited to the ruling committee of estates, than they had ever shewn to their sovereign. They broke through a standing order, and sat under the old moderator, without electing a new one, contrary to all precedent, till they adjourned to Edinburgh for the convenience of parliament, and that they might have the advantage of Henderson's experience as their moderator, but who had not yet returned from his diplomatic attendance on the army, as one of the commissioners in the treaty at London. Their translation, too, was at the desire of the committee, to which there was no demur made; but we are informed that "one clause in the (king's) commission, importing the Assembly's translation by the commissioner's advice, was *demurred* on by the clerk as *encroaching* on the Assembly's liberty²."

The Assembly met after their adjournment at Edinburgh on the 27th of July; and, after some opposition from Calderwood the historian, Henderson was chosen moderator. The transactions in this Assembly were neither numerous nor of great importance; but heavy complaints were made of the back-

¹ Johnston's Acts, &c. pp. 95, 96.

² Stevenson's Church and State, 468.

slidings of the brethren during this their "second reformation from popery and prelacy." Acts were passed for relieving some of the late professors of universities who had been driven out of their chairs; and for continuing such of the clergy in their benefices as had submitted to the presbyterian system which was now established¹. An act was passed for filling the chairs in colleges and universities with known and zealous presbyterians, and those who were "best affected to the reformation and order of this kirk²." Notwithstanding the reformation from all the sins which prelacy is "heir to," the Assembly found it necessary to pass an act "against impiety and schism," which it seems abounded in the kingdom with "backsliding and desertion, especially since the renewing of the covenant;" and the ministers are charged "to suppress all impiety and mocking of religious exercises, especially of such as put foul aspersions, and factious and odious names, upon the godly . . . and to eschew all meetings which are apt to breed error, scandal, schism, &c.³" An act was passed against novations—"that no novation in doctrine, worship, or government, be brought in or practised in this kirk, unless it be first propounded, examined, and allowed in the General Assembly, and that transgressions in this kind be censured by presbyteries and synods⁴."

On the 6th of August the parliament sent six of their members to the Assembly with a copy of Montrose's Band, which is called "a scurvy, infamous libel," to ask the Assembly's opinion "whether or not such a band may be subscribed in time coming, without the breach of the covenant and general union⁵." The debate on this question lasted till the 9th, when an act of Assembly against unlawful bands was passed, by which it was "found and declared that bands of this and the like nature may not lawfully be made. By which declaration the Assembly doth not intend to bring any censure for what is past, and by the wisdom and care of the committee of the parliament is taken away, upon any person, who being required by the moderator and the clerk, shall under his hand declare before them, that as the Assembly doth find that the subscribers are not astricted by their oath to the tenor of the said band, so he findeth himself not to be astricted by his oath to the tenor thereof: but the intention of the Assembly is merely to prevent the like in time coming⁶." This is a different measure from that which they had meted to the king, when they en-

¹ Session 5 and 8.² Session 9.³ Session 10.⁴ Session 14.⁵ Balfour's Annals, iii. 31.⁶ Session 17.

tered into most traitorous and unconstitutional bands against him and his government; and Charles was esteemed a tyrant for declaring their band unlawful and endeavouring to put it aside.

A letter was read from some of the English puritan ministers to the Assembly, in which they express their exultation at the prospect which then opened "of removing the yoke of episcopacy," and their fears that independency will be the prevailing form in England. In their reply, the Assembly bewail "the danger and contagion in matters of kirk government, of divine worship, and of doctrine, that may come from the one kirk to the other," which made uniformity in these matters very desirable. And accordingly they proceed to desire that, with them, the puritans would "heartily endeavour that there might be in both kirks, one confession, one directory for public worship, one catechism, and one form of kirk government," which would prevent, they said, "the arising or spreading of heresy and schism amongst ourselves¹." "Concerning," they continue, "the *different forms* of kirk government *projected* by sundry sorts of men, to be set up in place of the episcopal hierarchy, which we trust is brought near unto its period, we must confess that we are not a little grieved that any godly ministers and brethren should be found who do not agree with other reformed kirks, in the point of government as well as in the matter of doctrine and worship; and that we want not our own fears that where the hedge of discipline and government is different, the doctrine and worship shall not long continue the same without change: yet do not marvel much, that particular kirks and congregations, which live in such places as that they can conveniently have no dependence upon superior assemblies, should stand for a kind of independency and supremacy in themselves, they not considering that in a nation or kingdom professing the same religion, the government of the kirk, by compound presbyteries and synods, is a help and strength, and not a hindrance or prejudice to particular congregations and elderships in all the parts of kirk government; and that presbyteries and synods are not an extrinsical power set over particular kirks, like unto episcopal dominion, they being no more to be reputed extrinsical unto the particular kirks, nor [than] the power of a parliament or convention of estates, where the shires and cities have their own delegates, is to be held extrinsical to any particular shire or city²."

The last act of this Assembly was an "act anent the kirk of Campvere," in which the omnipotence of a General Assembly

¹ Johnston's Acts, pp. 95—110.

² Ibid. p. 107.

was displayed, in ordaining that "the Scots kirk at Campvere should be joined to the kirk of Scotland, as a *member* thereof," and "willed them to send their minister and a ruling elder, instructed with a commission, to the next General Assembly." Before the breaking up of this Assembly they replied to the king's letter; and, while acting contrary to his majesty's known will, they used the most alavish expressions of loyalty and obedience, and expressed their confidence that the king would find, on his arrival, more satisfaction and content than his "majesty's most humble subjects and faithful servants, the ministers and elders met together in the venerable Assembly," could express¹. Their last transaction was to appoint the meeting of the next Assembly to be held at St. Andrews, on the last Wednesday of July, in the year 1642.

Lord London opened the Scottish parliament on the 15th July by a speech, in which he delivered the substance of the king's instructions, and informed the house of his majesty's intention of being present about the middle of August; and it was carried by a majority, that only *indispensable* business should be transacted till his majesty's arrival. An attempt was made by Archibald Johnston to introduce some of the ministers, as commissioners from the General Assembly, to attend to the interests of the kirk²; but Argyle checked the motion, as only introductory to their claiming a voice in parliament. This attempt, however, shews that the clamour of the covenanters and presbyterians against the bishops, as one of the estates of parliament, had other and baser motives than the glory of God, which they claimed for all their actions. On the 16th July a long indictment was read against lord Traquair, who was called to the bar of the house; but, failing to appear, he was degraded from his office of treasurer. On the 11th of August, Sir Robert Spottiswood, president of the court of session, and Sir John Hay, clerk-register of parliament,—good men and true to the king,—were arrested and committed to the castle. The covenanters had now the whole of the king's friends and faithful servants in their power, and effectually prevented them from seeing or holding any communication with their betrayed and insulted sovereign. The chiefs of the covenant persecuted all the king's real friends to the death; and, what seems strange, they shewed the greatest bitterness against the earl of Traquair, who had formerly done them such good service. Of this nobleman Mr. Napier says, "Traquair had become unpopular with all parties, in consequence of a vain attempt to steer

¹ Johnston's Acts, p. 109.

² Stevenson's Church and State, 474.

a middle course. One while he was in bad odour with the covenanters, and the next with the king. He had the reputation of being a mortal enemy to the bishops, and at the same time was devoted to Charles with a warmth of affection never sufficiently appreciated. His name is conspicuous in the history of the period, yet can he hardly be said to be recorded, for his character has been abandoned to the mist of prejudice and passion, so industriously raised around him by his personal enemies. . . . But all Traquair's unpopularity, all his faults, nay, all of which he was ever coherently accused, are quite inadequate to account for the extraordinary excitement which seemed to prevail against him during the treaty of London, and when the king proposed to visit Scotland. It was impossible for Charles to understand why this nobleman, discountenanced at court, inclined to retire from public life, and possessing no great influence in any quarter, should be pursued with an unrelenting animosity that too clearly indicated a thirst for his blood¹."

On the 10th of August the king set out from Whitehall for Scotland, attended by the elector palatine, the dukes of Lennox and Richmond, and the marquis of Hamilton, in order to preside in the parliament. On the 14th he reviewed the rebel army, and dined with general Leslie, their commandant, who still kept possession of that town, and all the north of England, by authority of the Tables. He arrived at Holyrood House late in the evening of the 14th, and admitted the nobility to kiss hands that same night. The next day being Sunday, he heard Mr. Henderson preach in the chapel royal. On the 17th he proceeded to the house in state, and about eleven o'clock he took his seat on the throne, and the elector palatine was permitted to sit on the left of it on a raised seat. According to the constitution of the Scottish parliament, the sovereign, or his commissioner, was always present, seated on the throne, and took part in the debates. In front of the throne the constable and the marshal sat, and the regalia were placed on a table betwixt them, and at another table near them sat the lord clerk-register with his deputies².

Several noblemen were not allowed to take their seats in consequence of their repugnance to sign the covenant, which, by a recent ordinance, was rendered imperative on all who sat and voted in parliament. In two days, however, they all "conformed with the times, and were admitted," except the

¹ Montrose and the Covenanters, ii. 2.

² Author's Book of the Constitution, pp. 110, 111.

earl of Carnwath, who, singly and alone, nobly resisted the torrent¹.

An extempore prayer was said by Henderson, after which the king addressed the house as follows :—

“MY LORDS AND GENTLEMEN,

“There hath been nothing so displeasing to me as those unlucky differences which of late have happened betwixt me and my subjects : and nothing that I have more desired than to see this day, wherein I hope, not only to settle these unhappy mistakings, but rightly to know and to be known of my native country. I need not tell you (for I think it is well known to most), what difficulties I have passed by and overcome to be here at this time ; yet this I will say, that if love to my native country had not been a chief motive to this journey, other respects might easily have found a shift to do that by a commissioner, which I am come to perform myself. All this considered, I cannot doubt but to find such real testimonies of your affections for the maintenance of that royal power which I do enjoy, after a hundred and eight descents, and which you have so often professed to maintain, and to which your own national oath doth oblige you, that I shall not think my pains ill bestowed. Now the end of my coming is shortly this, to perfect whatsoever I have promised, and withal to quiet those distractions which have and may fall out amongst you ; and this I mind not superficially, but fully and cheerfully to do ; for I assure you, that I can do nothing with more cheerfulness than to give my people constant and general satisfaction. Wherefore not offering to endear myself to you in words (which, indeed, is not my way), I desire in the first place to settle that which concerns the religion and just liberties of this my native country, before I proceed to any other act².”

On the 6th of September, the demand made by the commissioners at London respecting the yielding the choice of the officers of state, the privy council, and the judges, to the parliament, was read. The king denied that ever he had agreed to grant this demand during the progress of the treaty, but he would now “willingly give all satisfaction in reason with safety to his honour ; and he now granted their foresaid demand absolutely in each circumstance as it was conceived, which he then signed with his own hand !” Here is one more downward, and the most fatal step in the road of concession ; and so conscious were the Covenanters of the advantage they had

¹ Stevenson's Church and State, p. 479.

² Balfour's Annals, iii. 41.

gained, that "they all arose and bowed themselves to the ground!" But the king discovered the value of this fatal concession the next day, when he *recommended* the earl of Morton to be chancellor, which was rudely and furiously opposed by Argyle, and rejected by the house, and it was not till after several days' delay that his second recommendation of lord Loudon was consented to by the parliament. Argyle's opposition on this occasion arose from disappointed ambition; for Baillie states that the majority thought the power and influence which the office of treasurer would confer on him, added to that which he already possessed, would have made him too powerful, and therefore prevailed on the king not to recommend him to that place. This disobliged him, and in revenge he successfully opposed the appointment of Morton to the chancellorship. On the 2d of October Loudon was invested with the insignia of his office, and took the oath of allegiance on his knees. The Lyon-king-at-Arms placed him in his proper seat, on the right of the throne, when he spoke as follows:—" I acknowledge I have this from your sacred majesty, as from God's vicegerent on earth, and the fountain of all earthly honour here; and I will endeavour myself to answer that expectation your majesty has of me, and the goodwill of this honourable house, in faithfully discharging that you both (without desert of mine) have put on."

On the 3d of November the king ratified an act for the "donation and mortification of the bishopric and priory of St. Andrew's; viz. £1000. sterling per annum out of them to the university; their reserving from the foresaid donation and mortification to his majesty, his heirs and successors, kings of Scotland for ever, the superiorities of lands, &c., entry of vassals, &c., and the tiends of the said bishopric and priory to be valued, and the vassals to have the benefit of the valuation, conform to the act of parliament, read, voted, and past, which his majesty did solemnly touch with his sceptre²."

The king received despatches from Ireland respecting the rebellion there, which he communicated to parliament, and desired their assistance; and he directed the commissioners of the General Assembly to agree on a day to be held for a general fast, on account of the Irish rebellion. On the 4th of November they represented to the house that a general fast should be solemnly kept in all the churches in Edinburgh and the neighbouring counties, on *Sunday*, the 24th instant, and in the other parts of the kingdom on the following Sunday, which

¹ Balfour's Annals, iii. 58.

² Ibid. ii. 134.

the parliament allowed and ordained. On the 7th of November, Leslie, the commander of the rebel forces at Newcastle, was created lord Balgoney and earl of Leven, and solemnly installed with great pomp, by his majesty's order in the parliament¹. On the 10th of November the commission of the Assembly petitioned his majesty and the house, that all the tithes, parsonages, and vicarages which belonged to the bishops, should be applied to the stipends of ministers not formerly provided, and to the provision of schools and hospitals. On the 15th of November the house ordained John Guthrie, bishop of Moray, who was then a prisoner in the common gaol of Edinburgh for the fact of being a bishop, and of never having submitted to the deposition of the Glasgow Assembly, "to be set at liberty, with this provision, that he give satisfaction to the church for his excommunication, and return not to Moray²." On the following day petitions were presented by Montrose, Napier, and the lairds of Kier and Blackhall, for their freedom from imprisonment, which was granted on condition of their finding security that henceforth they carry themselves soberly and discreetly, and that they should appear before the committee of parliament on the 4th of next January. Sir Robert Spottiswood and sir John Hay were also discharged on giving security as above, and they are termed "two of the prime incendiaries to the king and parliament³."

On the 17th November, the solemn Riding of parliament took place, previous to its dissolution; the earl of Leven, as general of the forces, led the procession; the sword was carried by the earl of Marr, the sceptre by the earl of Sutherland, and the crown was ominously borne by the earl of Argyle, who had long usurped its rights and prerogatives, although he never wore it. The earl of Leven laid down his baton, and an act was passed approving of his services, and he was re-appointed to the command, with the gift of a "hundred thousand merks out of the first end of the *brotherly assistance* from England, for his good services to his country." "There were voted and passed *in cumulo*, 360 ratifications, commissions, and protestations, in favour of particular persons. After all which, his majesty delivers a patent newly passed, under his great seal, to the lyon, who delivered it to the clerk-register, who read it publicly; whereby his majesty created Archibald earl of Argyle marquis of Argyle, earl of Kintyre, and lord of Lorn which being read, his majesty, in presence of the house, delivered the same to him out

¹ Balfour's Annals, iii. 126.² Ibid. iii. 155.³ Ibid. iii. 158.

of his own royal hand, which he on his knees received, rendering his majesty humble and hearty thanks for so great a grace and favour, far bye [above or beyond] his merit and expectation, bestowed on him." A sermon by Alexander Henderson closed the proceedings of this fatal parliament, in which the king *conceded* away all his rights and prerogatives, and denuded himself of all power and might. At night, Charles royally feasted all his nobility in the great hall of the palace, and after supper solemnly took leave of them; and next morning, by eight o'clock, proceeded on his journey to England¹.

In this parliament, lord Burleigh was not re-elected president, because he was one of those cyphers which do very well in ordinary times; but now that the Covenanters had a deeper game to play, a man of more nerve and capacity was required to preside. Lord Balmerino was therefore elected, who it was supposed would serve the covenanting cause with zealous devotion, as he was known to have requited the late and present king's clemency to his father and himself with the most malignant spirit of hatred and revenge. Charles and the loyalists were simple enough to hope that gratitude would have bound him to the king's interests, "but," says Guthry, "they were mistaken; no obligations had that influence upon him to make him gratify his majesty in the least." The notorious Johnston, of Warriston, was exceedingly anxious to have secured the office of clerk-register, as we have seen he had an extraordinary talent for the discovery of surreptitious registers; but here the marquis of Hamilton's interest stepped in, and secured that office for sir John Hamilton, of Orbiston. To soften Johnston's disappointment, and to gratify his own unhappy propensity to reward his enemies, the king knighted him, made him a lord of session, and conferred on him a pension of £200 per annum.

The earl of Carnwath nobly refused to sign the covenant, and therefore he was not permitted to take his seat in the house; but, in consequence of his being out of the vortex of all the intrigues and plots of the time, he was better able to observe and judge of the conduct of others. He saw the headlong infatuated course of concession in which the king was proceeding, although from judicial blindness the king himself could not see his own danger; and he said in public, "now there are *three* kings in Scotland, and (with an oath) two of them should [ought to] lose their heads;" meaning

¹ Balfour's Annals, ii. 164-5.

Hamilton and Argyle. It is said, that truth is the greatest libel, and in this case it was found to be so; and it was with some difficulty that his friends preserved him from the vengeance of Argyle by prosecution under the arbitrary statute of leasing-making. The lord Henry Kerr most truly accused the marquis of Hamilton of being a juggler with the king, and a traitor both to him and his country; and the young nobleman was compelled to confess his rashness, and on his knees at the bar to beg pardon of the house. And, moreover, the house unanimously resolved that the marquis was entirely clear of all scandal and disloyalty to his king and country, and declared him to be "a true patriot, and a faithful and loyal servant to his majesty." After this, the marquis pretended to have discovered a plot amongst the loyalists to assassinate himself and the earl of Argyle, which, as related by Bailie, amounted only to "most violent presumptions of a more wicked plot" against these noblemen. But, in fact, it was altogether a political manoeuvre, which, with the pretended discovery, was circulated by themselves. The pretended plot was, that the marquis of Hamilton and the earl of Argyle were to have been murdered by the king's friends, and with the privity and consent of the king himself. In the management of this sham affair, the marquis communicated it to the king, and procured his permission to seclude himself for a brief space. The king himself informed the house, that "yesternight my lord Hamilton came to me, I being walking in the garden, with a petition of very small moment, and thereafter, in a philosophical and parabolical way, as he sometimes had used, he began a very strange discourse to me, showing how his enemies had used all the calumnies envy and malice could hatch, to misinform and exasperate my wife against him; which very much grieved him, and he would never believe that his majesty was accessary to such base plots, and withal craved pardon to retire himself this night from court¹." These two plotting noblemen retired abruptly to Kenneil House, a place then of much strength. Their intention was to have made a public rupture, and they were vain enough to conceive that, in consequence of their departure, the parliament would have broken up and dispersed. The king himself was not without some fears of this result of the Kenneil plot, and he reflected severely on the misconduct of the marquis. The royalists urged the king to allow them to be impeached, for which there was abundance of materials; but such was the king's infatuation, that he con-

¹ Balfour's Annals, ii. 94, 95.

signed the pretended conspirators to the vengeance of the parliament, and condescended to invite Hamilton and Argyle to return. These noblemen finding that their own plot had not succeeded, but that their design was seen through and laughed at by all honest men, returned, and there was no more heard of this ridiculous affair¹.

As the parliament had now secured the appointment of the judges, they immediately deprived sir Robert Spottiswood, sir John Hay, sir Patrick Nesbit, and sir William Elphinston, who were faithfully attached to the king's service and the interest of their country; and in their place they appointed sir John Leslie, sir Thomas Hope, junior, Mr. Adam Hepburn, and the notorious sir Archibald Johnston, to the bench; creatures of their own, violent Covenanters, and, of course, rebels. Sir Thomas Hope, senior, the lord advocate, says Guthry, "did the Covenanters better service than he was willing should be known; yet, by his flattering carriage, insinuated so far with his majesty that (against information enough) his majesty was ruled by him in most of the affairs which passed under his hand; whereby, he being mercenary, did exceedingly enrich himself¹." There was also a new judicature established by parliament, without ever consulting the king, under the name of "CONSERVATORS OF THE PEACE," which was composed of all the leading Covenanters. A committee was appointed to receive from the English parliament the sum of £220,000, being part of that sum which the Commons of England had agreed to pay by instalments as a "brotherly assistance" to the Covenanters who had taken up arms, and had invaded England. Besides this vote of money, the House of Commons passed an ordinance that in every parish church throughout the kingdom of England, on Tuesday, the 7th of September, the Scottish invaders should be declared by the curates "loyal and faithful subjects of his majesty²!" Another committee was appointed to sit, after the rising of parliament, for the trial of the earl of Montrose and the other really loyal and faithful subjects of his majesty; and they were set at liberty on condition of their giving bail for their appearance before the committee when called upon.

It is with much sorrow that the writer of this is obliged to note the infatuated conduct of the king during the whole progress of the rebellion, but especially in this parliament. He

¹ Guthry's Memoirs.—Stevenson's Church and State.

² Guthry's Memoirs, p. 89.

³ Nalson's Collections, ii. 467.—Guthry's Memoirs, 89, 90.

was so anxious to be present at it that no persuasion of his faithful advisers in England could prevail on him to renounce or postpone his journey. Mr. Napier cites an unpublished letter of lord Napier's to Charles, who, at the recommendation of Montrose and his other conservative friends, wrote with "a freedom and frankness which had made a powerful impression on the royal mind, and fixed his firm determination to visit his native kingdom;" but of which, by the time the parliament was concluded, lord Clarendon says, "the king was as weary as he had been impatient to go thither." He complied so amply with the desires of the parliament, in the fallacious hope of putting at least one of his kingdoms into a peaceable posture, that his concessions almost anticipated their demands. He neglected, and even slighted, his most faithful friends, because, he said, they would serve him, notwithstanding, from conscience; and he showered favours on his enemies, in the vain hope of recovering them from their disaffection, and of attaching them to his person and service. We have already mentioned that the general of the rebels was created earl of Leven, and this was so much to his own astonishment, that he often protested, and once in particular, at Duplin, the seat of the earl of Kinnoul, that he "would never again bear arms against the king!" The worst traitor of the whole confederacy, the marquis of Hamilton, was afterwards created a duke. Even the king himself was beginning to admit some faint glimmerings of consciousness of his secret duplicity; and when the marquis seceded from the court under pretence of the fear of assassination, the king could not suppress the emotions of resentment which were beginning to arise; and when he delivered his patent to him, he told him that he did not deserve to have been disturbed by him; for even after he had been openly accused of high treason, he still permitted him to lie in his bedchamber. His majesty's reproaches disconcerted Hamilton's assurance, for it convinced him that his cunning and deceit had been discovered, for he had betrayed the king's greatest secrets to the Covenanter chiefs, and to the leaders of the puritan faction in England, by taking letters out of the king's pockets, which, as a lord of the bedchamber, he could easily and securely do, and communicating their contents to the rebel chiefs; by which means they had always the advantage of the king in all their negotiations and movements. The barons Lindsey, Loudon, and Almond, one of the rebel generals, were elevated to the rank of earls; the lairds of Dudo and Arbutnot were made viscounts; the rev. sir Andrew Murray, of Ebdie, was created baron Balvaird. Many of the

leading Covenanters obtained pensions. Henderson, who, says Mr. Napier, "had become somewhat of a courtier," yet least of any deserved his majesty's bounty, obtained the rents of the chapel royal, which, Guthry says, "were formerly esteemed a morsel sufficient for a bishop." Patrick Gillespie, who was a violent Covenanter and remonstrator, but after the Restoration, to save himself from merited disgrace and punishment, hypocritically offered to go any length that his majesty would prescribe in order to establish episcopacy, had a large pension bestowed on him; "but the inferior clerical factionists were, as usual, disappointed, for Argyle and others seized the richest spoils of the bishoprics." The revenues of the bishoprics were chiefly bestowed on the universities; those of the bishoprics of Edinburgh and Orkney, and the deanery of Edinburgh, were conferred on the university of that city; the university of St. Andrews obtained £1000 sterling per annum out of the archbishopric and the priory; the revenues of the see of Glasgow had been given to the duke of Lennox, and therefore those of the bishopric of Galloway were given to the university of Glasgow; the property belonging to the see of Aberdeen was given to the university of that city; part of that of Dunkeld was bestowed on the town of Perth, and with which they built the present bridge over the Tay, and the remainder was given to the corporation of the hammermen of Edinburgh; the marquis of Argyle obtained the whole of the property of the bishopric of the Isles; and the property belonging to the sees of Moray, Ross, and Caithness, "were chiefly given to northland gentlemen¹."

"The ministers were much dissatisfied with the small share allotted to them; but to make them amends, an act was made prohibiting all suspension of decrees for stipends, except upon consignation of the sums decerned for; and a commission of fourteen of each estate, with the officers of state, and three lords [judges] of the court of session, were named to value the tiends in every parish, and to augment ministers' stipends wherever they found it needful. *But* the interest of the commissioners was too great in that matter to make quick progress in it, and the troubles of those times proved too good an apology for the slowness of their motions²." Speaking of the "Second Reformation," as it was called, that was ratified in this parliament, Mr. Willison says, with exultation, "prelacy was

¹ Stevenson's Church and State, 490, 491.—Guthry's Memoirs, 90-91.—Clarendon's History, ii. 37.

Stevenson's Church and State, 491.

abolished, and presbytery established by law; and the king being personally present, he for himself and his successors promised *in verbo principis* never to come on the contrary of that settlement, which occasioned great joy through all the land, and was followed with much of the Lord's power and presence in his ordinances: so that the land, that formerly was like a wilderness, was now, by the Divine blessing, turned into a fruitful field¹." Many, says Guthry, "of the prime Covenanters obtained great pensions, but one thing was remarkable, wherein the king shewed himself wilful, and this was concerning my lord Balmerino. His majesty was pressed by the chief Covenanters to take notice of him, and to gratify him either with some honour, office, or pension; and, indeed, his majesty's friends advised him, that since he chose that way to gain his enemies by conferring favours on them, he would not neglect him. But nothing could be said to prevail with his majesty towards that end, so sensible was he of Balmerino's ingratitude²."

By the time that the parliament was dissolved, "the king was as weary of Scotland as he had been impatient to go thither; finding all things proposed to him as to a vanquished person, without consideration of his honour or interest; and having not one councillor about him but the duke of Lennox (who from the beginning carried himself by the most exact rules of honour, gratitude, and fidelity to him), and very few followers who had either affection to his person or respect of his honour. That which should have been an act of *oblivion* was made a defence and *justification* of whatsoever they had done: their first tumults and erecting their Tables in opposition to, and at last suppressing both courts of justice and session; and the acts and orders of those Tables declared to be the effects of their duty to his majesty, and according to the law of the land; and so all those who, according to their allegiance, had opposed and resisted them on the behalf of his majesty, and were qualified by his majesty's commissions, were adjudged *criminal*, and were the only persons excepted from pardon, and exempted from the benefit of that oblivion." The seditious acts of the Glasgow Assembly, which had expelled the bishops from their constitutional seats both in the Assembly and parliament, and who had declared themselves to have the power "to inflict the censures of the kirk upon his majesty himself," were ratified and declared in this parliament "to be lawful, and according

¹ Fair and Impartial Testimony, &c. p. 8.

² Guthry's Memoirs, 91.

to the constitution of the kingdom¹." The "government of the church by archbishops and bishops was declared to be *against* the Word of God, and to be an enemy to the propagation of the true reformed protestant religion; and, therefore, to be utterly abolished, and their lands given to the king, his heirs, and successors." They wrenched the power of calling parliament together out of the king's hands, and which were to assemble once in three years upon a certain day, without any summons from the king; and all the great officers of State were to be nominated by parliament, independent of the king. All these acts, and whatsoever else the Covenanting lords demanded of him concerning either church or state, the weak and subdued monarch ratified and confirmed. Not contented with conferring unmerited honours upon his enemies in proportion to the mischief they had done or were capable of doing, he depressed his loyal friends, and submitted to the degradation of soliciting their pardon from the Covenanters upon condition that "they came not near the king's presence, nor received any benefit from him." The king's unnatural and unkingly conduct disgusted his loyal friends, some of whom became indifferent how his affairs went, and therefore made no farther attempts to support him; whilst others of more generous dispositions continued their duty, and said "that men ought to do what belongs to conscience and honour; but if any engaged for him out of hope of reward, they might be readily disappointed." And the lord Carnwath, who was most faithfully attached to his majesty, jocularly remarked, when he saw the golden shower falling amongst well-known traitors, "that he would go to Ireland and join Sir Phelim O'Neale, the chief of the rebels, and then *he was sure* the king would prefer him²." In short, none but a man stricken with judicial madness could have acted as Charles unfortunately did. "He seemed," says the noble historian of the rebellion, "to have made that progress into Scotland, only that he might make a perfect deed of gift of that kingdom, which he could never have done so absolutely without going thither³." In the conclusion of the parliament, the new-made earl of Loudon, the chancellor, in the name of the nobility, and Sir Thomas Hope, jun. in the name of the Commons, after moistening "the king's hand with Covenanting tears," made the most adulatory speeches to his majesty for the *satisfaction*,

¹ Clarendon's History of the Rebellion, ii. 35, 36.

² Guthry's Memoirs, 94.

³ Clarendon's History of the Rebellion, ii. 38.—Guthry's Memoirs, 92.—Napier's Montrose and Covenanters.

that is, for the *real power* which he had conceded to them, and for the *contentment* concerning religion and liberty ; so that now they said " a contented king was to depart from a contented country ;" but the saluting cannon from the castle was quickly reverberated on the fields of Naseby and of Marston Moor. With a stretch of hypocrisy almost unparalleled, the Covenanters revived an old statute, and caused it to be proclaimed throughout the whole kingdom, " that it should be *detestable and damnable treason*, in the highest degree, for any of the Scottish nation, conjunctly or singly, to levy arms or any military forces, upon any pretext whatsoever, without the king's royal commission." " But," says Nalson, " it seems presbyterians and papists *agree* in this particular, that no faith is to be kept with heretics ; for they shortly after proved their own popes, and *absolved* themselves and the nation from the obligation of this law, by raising men and joining with the English rebels, as in due time we shall see."

WHILST THE KING was suffering under the mental malady or *monomania* of concession, and was actually signing away all his royal power and authority, he received a bloody warning against his folly in the accounts brought to him of the Irish rebellion. Seeing him madly engaged in conceding his crown and his life away, the Irish papists took the opportunity of revolting and seizing his castles and magazines, and, at the instigation of their priests, of massacring the loyal reformed catholics. At the moment when they were in open rebellion, Sir Phelim O'Neale and other chiefs published declarations of the loyalty of their hearts, and the uprightness of their intentions, and, like their fellow rebels in Scotland, they solemnly took God to witness of their devotion and loyalty to the king, and that they designed not the least diminution of his majesty's greatness, but rather that they were a contented people with a contented king. Various causes have been assigned for this dreadful and unparalleled massacre, so much at variance with the spirit of Christianity ; but the true one was the bull issued by pope Urban VIII., in which he says, " in imitation of their godly and worthy ancestors, to endeavour *by force* to deliver their thrall'd nation from the oppressions and grievous injuries of the heretics, wherewith this long time it hath been afflicted and heavily burthened ; and gallantly do in them what lieth *to extirpate and totally root out* these workers of iniquity, who in this kingdom of Ireland had infected, and were always striving to infect, the mass of catholic purity with the pestiferous leaven of *heretical*

[*malignant*] contagion¹." It is curious to remark the coincidence of the words of this bull and of the solemn League and Covenant; to root out the great bulwark of protestantism, the reformed episcopal church, they both use exactly the same word, *extirpate*, and both parties understood it in the same literal meaning: although the Scotch had not the opportunity to carry it to the same extent, and to the same bloody effect, as the Irish rebels had, yet the will and the intention were the same in both.

Sir James Ware says he could find no traces of the reformation in Ireland earlier than about nine years previous to the death of Henry VIII. when it was nominally introduced into that kingdom; but the revenues of the church continued in the possession of the Romish hierarchy, some of whom pretended to conform, that they might have the greater power of injuring the reformed catholic church. Bishop Taylor says that the popish bishops and priests *seemed* to conform, that, keeping their bishoprics, they might enrich their kindred and dilapidate the revenues of the church, which, by pretended offices, false informations, fee-farms at contemptible rents and ungodly alienations, were made low as poverty itself, and unfit to minister to the needs of them that served at the altar, or for the noblest purposes of religion. The state of religion was very little, if any, improved in the reign of Edward VI. John Bale, bishop of Ossory, says that those prelates and clergy which had only *pretended* to conform to the reformation were engaged in the most licentious practices. The Supper of our Lord "was altogether used as a popish mass, with the old apish toys of antichrist, in bowings and beckonings, kneelings and knockings; the Lord's death, after St. Paul's doctrine, neither preached nor yet spoken of. There wailed they over the dead with prodigious howlings and patterings, as though their souls had not been quieted in Christ and redeemed by his passion." If the bishops were apish hypocrites, the inferior clergy were equally infected with the same sin, as bishop Bale distinctly shews. During the short and inglorious reign of bloody Mary, "the apish toys of antichrist" were re-established in their full vigour; but even in the reign of her successor there was very little improvement in the church of Ireland; for "she slept secure amidst the orthodoxy of her English reformers, and permitted that abandoned and devoted country to continue in its cheerless idolatry." Sir Henry Sidney, her deputy, in one of his letters to the queen, says, "the church is foul, deformed, and cruelly crushed but your majesty may believe it, that, upon

¹ Musgrave's Irish Rebellion.

the face of the earth, where Christ is professed, there is not a church in so miserable a case¹." To many of the dioceses no bishops had ever been presented during Elizabeth's or her three predecessors' reigns; and up to James the first's time, Ulster had never enjoyed even a nominal reformation.

James's accession to the crown of England was a happier era in the ecclesiastical affairs of Ireland; and his plantation of Ulster is a monument of his wisdom and patriotism evident to this day. His deputy, lord Chichester, said he found the churches "all ruinous, and many utterly defaced;" and "the estates of the bishops in Ulster were much entangled, and altogether unprofitable to the bishops." James ordered all the ecclesiastical lands to be restored to the bishops, he compelled the patentees to accept compositions for the sites of cathedral churches and lands which they had surreptitiously obtained, and recommended the bishops to vacate all their impropriations, and to relinquish all tithes paid to them by incumbents, and instead he granted them the crown lands. The gunpowder plot, and the intrigues of the jesuits in Ireland, alarmed James, and made him draw the reins tighter over the popish recusants, when they universally withdrew from the parish churches which they had previously frequented, and thus *they commenced by their separation, that schism which they have ever since kept up*. But the chief fault lay in there having been no translation of the Scriptures and Liturgy into the native language of the people; for, to the great majority, the prayers in English were as little understood as the mass in Latin.

Charles's embarrassments by foreign war and domestic factions excited an universal ferment among the native Irish. The papists watched with intense interest the progress of the puritans and the covenanters, and looked with complacency on the disorder and distractions of his reign, with his insane concessions, as peculiarly favourable to the aggrandizement of popery; and they manifested the utmost contempt for the penal statutes which had been made for the protection of the established church. At the commencement of his reign, the church was in the most deplorable condition. Many of the cathedrals, and most of the parish churches, were roofless, and unfit to be repaired, the glebe houses ruined, and the possessions of the church alienated. Though the bishoprics were numerous, yet they were of trifling value; hence the ruinous system of uniting two or more of them under one bishop. The protestant clergy are represented as having been illiterate, loose in their morals,

¹ Sir John Davie's Tracts.—Sir Henry Sidney's Letters, i. 112-113.

and careless in the performance of their sacred duties. They were surrounded by a multitude of the most bigoted and ferocious papists, on the one hand, and, on the other, by a host of equally bigoted and sworn enemies, the Scottish covenanters, who had been imported into Ulster by Sir Hugh Montgomery, and other planters, and who daily offered insults to the government and worship of the established church. The earl of Strafford sincerely and in earnest endeavoured to restore the regularity and decency of divine worship in the churches in Dublin; and he next inquired into the state of the church and clergy throughout the kingdom. In a report which he made to archbishop Laud, he says,—“that the church suffered from an unlearned clergy, which had not so much as the outward form of churchmen to cover themselves with, nor their persons any way revered or protected; that the churches were unbuilt—the parsonage houses utterly ruined—the people untaught, through the non-residence of the clergy—rites and ceremonies of the church run over without all decency of habit, order, or gravity, in the course of the service,—the possessions of the church chiefly in lay hands,—the bishops alienating their very principal houses and demesnes to their children and strangers,—and the popish titulars exercising the whilst a *foreign jurisdiction*, much greater than theirs.” This melancholy account is amply confirmed by bishop Bedell, who says, in a letter to archbishop Laud, “and shortly to speak much ill nature in a few words, *the church is very miserable.*”

Burnett says that the popish “priests were a strange sort of people, that knew generally nothing but the reading of their offices, which were not so much as understood by many of them, and they taught the people nothing but the saying their *paters* and *aves* in Latin. For they had *no sort of notion of christianity*, but only knew that they were to depend on their priests, and were to confess such of their actions as they call sins, and were to pay their tithes.” The fury of the covenanting persecution drove many of the Scottish clergy, who had refused to sign that bond for their own extirpation, out of their livings, with acts of violence and cruelty, and many of them took shelter in Ireland. Among these was one Corbett, who published a book in Dublin, and drew a lively and exact parallel between the covenanters and the jesuits. Great exertions were made, under the protection of Archibald Adair, a Scotchman, bishop of Killala, to introduce the covenant into the province of Ulster; for which he was deprived, and Dr. John Maxwell, bishop of Ross, who had been driven from his

bishopric and country by the persecuting covenant, was preferred to that see. The Romish priests were solemnly bound to an unlimited and unreasoning submission to the pope, without either profession or bond of allegiance to their natural sovereign, and were full of the dangerous doctrine of the pope's universal sovereignty, both civil and spiritual, and of his authority to excommunicate and depose princes, to absolve subjects from their oaths of allegiance, to sanctify rebellion and murder, and even to change the very nature and essential differences betwixt virtue and vice. Clergy of such a dangerous spirit and antichristian principles were suffered to erect a spiritual despotism in Ireland, under the papal authority, which has been the bane of its civil and religious freedom and happiness ever since. The papists were encouraged by the success of the Scottish covenanters, and so undisguised were the proceedings of the priests and jesuits, that the government became alarmed; but, nevertheless, no precautionary measures were adopted. The priests exercised their offices as openly and as safely as the protestants, and they suffered no restraint or inconvenience; but, says Coxe, "all this was overbalanced by their bigotry and natural malice, which opened one of the bloodiest scenes that ever was seen in the world."

At this period Ireland enjoyed the blessings of peace, plenty, and security; her trade and domestic manufactures were in a flourishing state, her taxes were merely nominal, and every man enjoyed his property and liberty in perfect security. Both papists and protestants were equally partakers of these advantages, and they were united by the strong ties of interest, family alliances, and relationship. The papists enjoyed the full and free exercise of their religion, in the same degree as the members of the reformed catholic church, and, in point of fact, had no cause of complaint, except of being deprived of *supremacy*, of which they ever will complain in a protestant country. Roger More, a man of indigent fortune, but of noble descent, and Owen O'Neale, a colonel in the Spanish service, first formed the diabolical project, and then proposed it to lord Macguire and sir Phelim O'Neale, to *extirpate* the reformed catholic inhabitants, who were chiefly of English descent. The popish priesthood were doubly engaged in this horrible conspiracy, both by their own inclinations and by the authority of the pope, who promised to supply them with money. Cardinal Richlieu, who was the chief promoter of the Scottish rebellion, and of the *extirpation* of the reformed catholic church there, was also a prime insti-

gator of this horrible massacre. The Spanish ambassador likewise made liberal promises of assistance both in men and money.

It was resolved that Macguire, Macmahon, More, Plunket, Paul O'Neale, *an active priest*, and others, should seize Dublin Castle ; whilst other chiefs and priests undertook to secure the fortified places throughout the kingdom, on the same day. The lords justices had received some dark and mysterious intimations that some dangerous designs were in agitation, which they disregarded till their slumbers were broken by one O'Conolly, a protestant, who had been most unaccountably trusted with the secret, and who gave positive information to their lordships the night previous to the intended outbreak. The justices fled in terror to the castle, alarmed the city, and reinforced the guards. Macguire and Macmahon were taken, and the confession extorted from them of a general insurrection and massacre ; but it was too late to prevent the execution of the horrid design. Sir Phelim was barbarously punctual to the villanies he had promised to perform, and he seized the persons, cattle, and goods of the protestants ; when *an universal massacre ensued*, and neither age, nor sex, nor infancy, were spared. In vain did the unsuspecting victims appeal to their ruthless extirpators, by all the tender obligations of social ties ; companions, neighbours, friends, relations, dealt with their own hands the fatal blow. Neither the pious son pleading for his aged parent, nor the tender mother interceding for her helpless children, made the slightest impression on the relentless and bigotted hearts of the papists. The weeping mother, who would not be comforted, and the heart-stricken son, were alike doomed to witness the massacre of those whom they loved, and then to be themselves offered up a sacrifice to that demon of blood who presides in the Romish church. The affectionate wife, weeping over the bloody remains of her husband, experienced the same horrible death which she deplored. Popish women added yet a deeper stain to this scene of blood, by the wanton exercise of the most execrable cruelty ; for, in the frenzy of religious fanaticism, they committed more atrocious acts of cruelty than even the men, and excited their children, both by example and precept, to stain their young hands with the blood of so-called heretics.

The popish priests, as they have been in every age since the christian world was afflicted with the papal supremacy, were the foremost in every scene of *extirpation* and blood ; they represented the slaughter of the protestants as the most meritorious of religious acts, and exhorted their people to extirpate and

rid the world of these declared enemies to the Romish faith. They assured their people that to murder the protestants would be an excellent preservative against the pains of purgatory, and even help some of their suffering friends out of it; and they refused to administer any of their so-called sacraments to their adherents but on condition of their mercilessly murdering all the protestants, of whatsoever age, sex, or condition. In consequence many thousand protestants were burnt alive in their houses; others were stripped naked and turned out to perish in the cold, and multitudes were drowned in the sea, and in rivers and lakes; some were manacled and thrown into dungeons, where they were left to perish from hunger and cold; others were left to perish from their wounds on the highways or fields; others were buried alive; and this was the fate of a poor infant, who, whilst being thrust into the pit beside its murdered parent, piteously cried, "*O mammy, mammy, save me!*" Yet could not his innocent cry pierce the stony heart of religious bigotry. Some were mangled and hung upon hooks; some dragged by ropes round their necks through woods and bogs till death relieved their sufferings; some were hung up by the arms, and then cut and stabbed to see how many wounds a heretic could endure. Pregnant women had their bowels ripped up, and were then left to perish with their offspring. Some of these barbarous extirpators had the ingenuity in their cruelty to tempt some of their victims, with the hope of preserving their lives, to imbrue their hands in the blood of their relations. Children were, under these impious expectations, impelled to be the executioners of their parents, wives of their husbands, and mothers of their children; and then, when they were thus rendered accomplices in guilt, they were themselves deprived of that life which they had wickedly endeavoured to purchase at so fearful a price.

Many who escaped the assassin's knife were turned out to suffer the rigours of a very severe winter, their houses having been plundered and destroyed, and their lands wasted; amongst the multitudes who experienced this treatment, the greater number, through feebleness of age, sex, or constitution, sunk under the severity of cold and hunger; and many of those who were able to reach Dublin, died of the diseases they had contracted through cold, fatigue, and fright; others, of keen sensibility, reflecting on the horror of their fate, being reduced from a state of affluence or comfort to all the miseries of want and poverty, and having to mourn the loss of parents, children, husbands, or wives, abandoned themselves to despair,

refused all the comforts that were offered them, and sought relief in death from their multiplied calamities as their only resource. Such numbers of these houseless refugees died in Dublin, that the churchyards were not sufficient to contain them, and two large pieces of ground were enclosed and set apart for that particular purpose. Nor was the exercise of rapine and blood confined to the lower class of rebels; men of rank not only stimulated the sanguinary inclinations of their bigoted followers, but practised these enormities themselves. The unhappy protestants have been too hastily blamed for not assembling together in bodies for defence; but the papal massacre was too sudden and universal to admit of concentration or communication among them. They were, besides, deceived by the crafty deportment of the popish barbarians; whenever any small number did draw together for defence, they were disarmed by promises of safety given under hand and seal; but on their surrender, the maxim of keeping no faith with heretics was immediately verified, and the confiding protestants experienced the same fate at the hands of their popish countrymen as had been imposed on others. Nor could the miserable condition of their excruciating pangs, anguish of mind, and agony of despair, assuage that lust of cruelty and blood, which sacerdotal precept, and their own bigotry, had kindled in the breasts of the devotees of a religion which has a natural propensity to be "drunken with the blood of the saints and with the blood of the martyrs of Jesus." The number of protestants who died from the multiplied inhumanities of the papists, is, according to their own exulting computation, which we may be sure is short of the real amount, *one hundred and fifty-four thousand!*¹

Lord Clarendon says, that many of the popish nobility were entirely guiltless of the Irish rebellion and horrible massacre²; and the papists, he says, enjoyed so much liberty and protection, that in general they were so well disposed towards the government, that it was necessary to deceive them, by stating that the rebel chiefs acted with the king's approbation, and under his authority and commission. To confirm this falsehood, they shewed a commission *as if* from Charles, authorizing them to execute the late bloody massacre, and to which they affixed an impression of the great seal of England, which they had taken off some grant or patent. This fatal stratagem acted immediately on the fervid bigotry of the native

¹ Macaulay's Hist. of England. — Clarendon's Hist. of the Rebellion. — Nalson's Collections.

² MS. cited in Nalson's Collections, ii. 590.

Irish; and the puritan and covenanter chiefs propagated the malicious calumny amongst their followers, which increased their own malice and increased the king's embarrassments, so that he added another fatal item to his other concessions, and committed the whole management of the war in Ireland to the two houses of parliament. There would not have been any rebellion or massacre in Ireland had it not been for the infectious example of the rebels in Scotland, of which the papists took advantage in the hope of gaining the same ascendancy for popery as had been accomplished by the sword for presbytery. Some men, says Charles, "took it very ill not to be believed, when they affirmed, that what the Irish rebels did, was done with my privity at least, if not by my commission. But these knew too well that it is no news for some of my subjects to fight, not only without commission, but *against* my command and person too; yet all the while to pretend they fight by my authority, and for my safety. . . . So that, next to the sin of those who began that rebellion, theirs must needs be, who either hindered the speedy suppressing of it *by domestic dissensions*, or diverted the aids or exasperated the rebels to the most desperate resolutions and actions. . . . I offered to go myself in person upon that expedition; but some men were either afraid I should have any one kingdom quieted; or loth they were to shoot at any mark here less than myself; or that any should have the glory of my destruction but themselves. Had my offers been accepted, I am confident neither the ruin had been so great, nor the calamity so long, nor the remedy so desperate¹."

AFTER THE KING's departure from Edinburgh, the principal covenanting leaders conducted matters to all appearance with moderation, as if they were satisfied with the revolution they had effected; but the inferior actors began to talk of its being their duty to press a similar revolution in England, and the women were clamorous against the leaders and such of the ministers as spoke of peace, and of fulfilling their own expression of being "a contented people with a contented king." But the moderation of the chief, and the clamouring of the vulgar covenanters, or "the under-spur-leathers," were well understood to be only political manœuvres to give the semblance of the popular voice to that armed rebellion, on which they had already determined. "The wives of Edinburgh (whose help to the cause was always ready at a dead lift),

¹ *Eikon Basilike*, pp. 51, 52.

cried out against all, especially the ministers who were for a peaceable temper, and would be content to acquiesce in the reformation we had obtained ; yea, herein they deborded [proceeded] so far that they spared not Mr. Henderson himself, upon a supposition that the king's respects to him had wrought him to a moderation ; and when the vulgar sort began thus to vent themselves (it being well enough known that they used not to speak by guess, but first had their lessons given them), men began more clearly than before to discover and foresee what might be the design of the great ones¹. That this great desire on the part of the Covenanters to force their covenant and system on England was met by a reciprocal wish on the part of the puritans, is placed beyond doubt by a resolution of the House of Commons in reply to the proposition concerning religion, delivered in by the Scottish commissioners ; which clearly evinces the intimate understanding that subsisted betwixt the opponents of the king's government in both ends of the island, and shows the detestable hypocrisy of the men and of the times, when their worst actions were always prefaced with the pretence of the glory of God and the peace of the church.

“ Resolved, that this house doth approve of the affection of their brethren of Scotland in their desire of a conformity in church government between the two nations, and doth give them thanks for it ; and as they have already taken into consideration the reformation of church government, so they will proceed therein in due time as shall best conduce to the glory of God, and the peace of the church.”

His majesty answered to the demand of the Scottish commissioners for unity in religion and uniformity in church government, simply—“ That his majesty, with the advice of both houses of parliament, did well approve of the affections of his subjects in Scotland in their desires of having a conformity of church government between the two nations ; and that as the parliament had already taken into consideration the reformation of the church government, so they would proceed therein in due time as should best conduce to the glory of God, and the peace of the church and state of both kingdoms.” The king not only ratified all the transactions of the treaty with the Scots commissioners, but by act of parliament abolished the episcopal government, and alienated all the church lands which had been recovered by king James and himself. “ A matter,” says Heylin, “ of most woful consequence to the

¹ Guthry's Memoirs, 94.

church of England. For the House of Commons, being advertised of these transactions, pressed him with their continual importunities after his return to subvert the government of bishops here in England, in the destruction whereof he had been pleased to gratify his Scottish subjects, which could not be reputed so considerable in his estimation, nor were so in the eye of the world, as the English were¹."

Hitherto the earl of Lauderdale had openly acted as one of the king's supporters, whilst his son, LORD MAITLAND, had been an active partizan of the Covenanters. This was a species of cautious policy common in those days, by which men attempted to keep well with both parties, and could join the strongest when hypocrisy was no longer necessary. Lauderdale had obtained from his majesty a gift of the lordship of Musselburgh, reckoned worth about 20,000 merks per annum, and his son's zeal for "the cause" easily procured its confirmation under the great seal. As soon as he had accomplished this spoliation, he turned round and openly joined the king's enemies, and became so furiously zealous, that bishop Guthrie affirms he himself heard him say in a public meeting, "that he would live to see *the cause* not only go through England, but also be carried to the walls of Rome." The earl of Dumfries shewed similar hypocrisy and ingratitude to the king, who was strongly attached to him, and bestowed on him an annual pension of £1000. He was so ardent in the cause that he was always chosen the prime commissioner in all the negotiations betwixt the Covenanters and the king; although wearing towards his majesty all that hypocritical lip-loyalty which was the sin of the times, yet they would not have trusted him had they not been well assured of his devotion to "the cause²."

It was now determined to *reform* the church of England, and to compel the whole nation to accept and sign their Covenant, which had been already the cause of so much mischief at home. The alleged origin of all the troubles in Scotland was the apprehension that the king intended to force on them the English liturgy, and a conformity with that church; but now they themselves turn round, and determine to force their discipline and mode of worship upon the people of England. This uncharitable inconsistency is most admirably commented on by king Charles, in one of his papers "upon the calling in of the Scots, and their coming." "If," he says, "the Scotch

¹ Heylin's *Life of Laud*, 456, 457.

² Guthrie's *Memoirs*, p. 95.

sole presbytery were proved to be the only institution of Jesus Christ for all churches' government, yet I believe it would be hard to prove that Christ had given those Scots, or any other of my subjects, commission by the sword to set it up in any of my kingdoms without my consent. What respect and obedience Christ and his apostles paid to the chief governors of states where they lived, is very clear in the gospel; but that he or they ever commanded to set up such a parity of presbyters, and in such a way as these Scots endeavour, I think is not very disputable. If presbytery, in such a supremacy, be an institution of Christ, sure it differs from all others, and is the first and only point of christianity that was to be planted and watered with so much christian blood, whose effusions run in a stream contrary to that of the primitive planters both of christianity and episcopacy, which was with patient shedding of their own blood, not violent drawing other men's. Sure there is too much of man in it to have much of Christ, none of whose institutions were carried on or begun with the temptations of covetousness or ambition; of both which this is vehemently suspected. Yet was there never any thing upon the point which those Scots had, by army or commissioners, to move me with, by their many solemn obtestations and pious threatenings, but only this, to represent to me the wonderful necessity of setting up their presbytery in England, to avoid the further miseries of a war; which some men, chiefly on this design, at first had begun, and now farther engaged themselves to continue¹."

From the date of the parliament of this year, Charles possessed no more power or authority in Scotland; he had virtually dethroned himself, and placed Argyle as *dictator* of his ancient kingdom, with the faction which depended on him. Every thing ran in the king's name as formerly, and all the acts of rebellion were sanctioned by his nominal authority; but this was the completion of his ruin, for the Covenanters wore the livery of loyalty, and the appearance of acting for the king, whilst they were actually in arms against his constitutional sovereignty. Argyle played a double part, and worked the government in his compound capacity of a member of the committee of estates and of the commission of the kirk, which was originally instituted shortly after this time, and through the instrumentality of its lay elders, of which Argyle was always one, it controlled and regulated the civil government. In short, a

¹ *Eikon Basilike*, i. 59.

complete revolution had been consummated, and two republican institutions had now superseded the monarchy, and shewed the truth of archbishop Spottiswood's words—"and as for the ruling elders, as they are *a mere human device*, so they will prove (when the way is more open to them) *the ruin of both church and state*¹."

"The kirk," says bishop Burnet, "was now settled in Scotland with a new mixture of ruling elders, which, though they were taken from the Geneva pattern, to assist, or rather to be a check on the ministers in the managing the parochial discipline, yet they never came to their Assemblies till the year 1638, that they thought it necessary to make them first go, and carry all the elections of the ministers at the several presbyteries, and next come themselves and sit in the Assemblies. The nobility and chief gentry offered themselves upon that occasion; and the ministers, since they saw they were like to act in opposition to the king's orders, were glad to have so great a support. But the elders that now came to assist them beginning to take, as the ministers thought, too much on them, they grew weary of such imperious masters: so they studied to work up the inferior people to much zeal. And as they wrought any up to some measure of heat and knowledge, they brought them also into their eldership; and so got a majority of hot zealots who depended on them. One out of these was deputed to attend on the judicatories. They had synods of all the clergy, in one or more counties, who met twice a year: and a General Assembly met once a year; and at parting that body named some, called the commission of the kirk, who were to sit in the intervals to prepare matters for the next Assembly, and look into all the concerns of the church, to give warning of dangers, and to inspect all proceedings of the state, as far as related to the matters of religion: by these means they became *terrible* to all their enemies. In their sermons, and chiefly in their prayers, all that passed in the state was canvassed: men were as good as named, and either recommended or complained of to God as they were acceptable or odious to them. This grew up in time to an *insufferable* degree of boldness. The way that was given to it when the king and the bishops were their common themes, made that afterwards the humour which could not be restrained. And it grew so *petulant*, that the *pulpit was a scene of news and passion*. For some years this

¹ Vide *ante*, i. ch. xv. 648.

was managed with great appearances of fervour by men of age and some authority; but when the younger and hotter zealots took it up, it became odious to almost all sorts of people, except some sour enthusiasts, who thought all their impertinence was zeal, and an effect of inspiration, which flowed naturally from the *conceit* of extemporary prayers being praying by the Spirit¹."

¹ Burnet's Own Times : Oxford, second edition, 1833. Vol i. pp. 59, 60.

CHAPTER XIX.

GENERAL ASSEMBLIES.

PRESBYTERY, THE SOLEMN LEAGUE AND COVENANT, AND THE GRAND
REBELLION.

1642.—Treaty with the Long Parliament completed.—A fast.—The Banders petition.—The Incident.—The Covenanters petition.—Hamilton sent as commissioner.—A GENERAL ASSEMBLY—king's letter—a thin attendance—the episcopal clergy—presbyterian tyranny—the translation of ministers—patronage—act against papists.—Assembly's letter to the king.—Long Parliament's letter to the Assembly.—Letter from the Scots commissioners.—Assembly's letter to the English parliament—and to the Scots commissioners.—Letter from puritan ministers—and answer.—A fast.—First institution of the COMMISSION OF THE KIRK.—Meeting of the commission.—Brownism.—Activity of the ministers.—1643.—Montrose solicits a commission.—Hamilton's advice adopted.—The commission appoint a fast—present a remonstrance to the committee of estates.—Convention of estates.—Meeting of the commission.—Another remonstrance.—Some troops raised.—A deputation from the Long Parliament.—A treaty.—AN ASSEMBLY—Henderson moderator.—King's letter.—Irish presbyterians.—Witches.—Commissioners from the Long Parliament.—Negotiations on the basis of the covenant.—THE SOLEMN LEAGUE AND COVENANT.—Letter from English presbyterians.—The covenant signed.—Commissioners appointed to the Westminster Assembly.—The Directory.—Act against excommunicated persons.—Letter to the king.—Answer to the Long Parliament—and to the Westminster Assembly—dissolution of the Assembly.—Convention ratifies the League.—Proclamation in the king's name.—League signed at London.—Orders sent to the presbyteries for signing the League.—Hamilton arrested.—The ministers' regiment embodied.—A fast.—1644.—Balmerino's excise scheme.—Commission excommunicate Huntly and others.—Letter from the peers of England.—Dr. Forbes, of Corse.—GENERAL ASSEMBLY.—Letter from the presbytery of the army.—Petition from Irish presbyterians.—The royalists excommunicated.—The Assembly dissolved.—A parliament summoned to meet at Oxford.—Scottish parliament meet.—Band burnt at the cross.—Parliament adjourned.—Lord Haddo's trial—and execution.—More executions.—A fast, and its causes.—Reflections.—New customs in public worship introduced.

1642.—“THE LIP-SERVICE TO GOD and their king cost the Covenanters nothing, and they were ever lavish of that. But two years had now elapsed since Baillie wrote a fine sentiment,

which has sometimes been appealed to with admiration, and his disinterested and patriotic party had received three hundred thousand pounds sterling, 'a pretty sum in our land,' for their brotherly assistance—they had virtually deprived the king of his crown in Scotland—they were glutted with honours and emoluments—and the chair of Fergus was filled by 'king Campbell¹.' About the beginning of this year, the Scottish commissioners at London informed Argyle, who was at the head of the usurped government, that they had completed a treaty with the Long Parliament, in which it was agreed that ten thousand men should be transported from Scotland to the north of Ireland, under pretence of assisting to repress the rebellion there; but in reality to be in readiness, and in a proper state of equipment, to take the field against the king, when matters were ripe for such a course. The earl of Leven was appointed to the command of this army, and all the military Covenanters held subordinate commands; and both the Covenanter who was meditating armed rebellion, and the papist who was in actual revolt, were alike hypocritically "taking God to witness, that they designed not the least diminution of his majesty's greatness, but only to seek their own peace."

Whilst the king's affairs were drawing to a crisis in England, the Covenanters at Edinburgh ordered a fast to be kept in the month of May throughout the whole kingdom, lest, as they said, the king should suffer any diminution of his greatness! But, says Guthry, "it being ordinary, whensoever any *plot was in hand*, to grace it with a fast, it made all men to expect some great thing to follow, which was, that they sent up the chancellor to York, to deliver their advice to his majesty, and offer his pains for accommodation²." Stevenson says, "The Covenanters, fearing lest the Banders should prevail with the council to take part with the king against the [Long] parliament, set earnestly about the duty of fasting and prayer for averting the threatened storm, and imploring directions as to the present duty; and Warriston, in the entry of that meeting, took care to disperse a letter, which, though expressed in general terms, and with a degree of caution becoming its author, tended to *dissuade* from speedy measures on either hand, and was of use to inform the minds and determine the judgment of many who, till then, were unresolved³." Those, called Banders, were Montrose and other conservative noblemen, who penetrated the designs of the Covenanters and saw

¹ Napier's Montrose and the Covenanters, ii. 167.

² Memoirs, 99.

³ Church and State, 501

the king's danger. The council met on the 25th of May, and about twenty-four Banders met and presented a petition, which Mr. Napier has given from the original manuscript, desiring them to remember their national oath, and their oath of allegiance to his majesty, and as good and loyal subjects to defend the king's royal prerogatives, which were now encroached upon by the English parliament. It was designed to shew that the late treaty of peace did not affect the allegiance which his Scottish subjects owed to the king: "or that thereby we are in any other condition in those necessary duties to our sovereign than we and our ancestors were, and have been, these many ages and descents, before the meeting of the said act, or before the swearing or subscribing of our late covenant; by which we have solemnly sworn and do swear, not only our mutual concurrence and assistance for the cause of religion, and to the utmost of our power, with our means and lives, to stand to the defence of our dread sovereign, his person and authority, in the preservation of religion, liberty, and laws of this church and kingdom, but also in every cause which may concern his majesty's honour, we shall, according to the laws of this kingdom and the duty of subjects, concur with our friends and followers in quiet manner, or in arms, as we shall be required of his majesty, or his council, or any having his authority¹." Johnstone's letter, before mentioned, however, had the effect of pre-engaging men's minds in favour of the parliament. Argyle again got up a sham plot, called an *Incident*, for effecting his assassination, of which there never was any intention; but it proved a colourable excuse for collecting a considerable number of his partizans in the capital, to be in readiness when their services might be required.

The petition of the royalists was rejected with scorn by the council, whereas one from the covenanters, praying "that nothing should be enacted prejudicial to the work of reformation, and the treaty of union betwixt the nations which had been ratified in parliament," was well accepted, and the council gave those who presented it thanks for this proof of their patriotism. The commission vented their wrath on this petition, published a paper against it, which they ordered to be read in all the parish churches, and "preached damnation from the pulpit to all who had subscribed it." The king now began to perceive that a storm was rising in the north; and to see the value of his concessions and suicidal attempts to conciliate men who had set their affections on his crown.

¹ Napier's Montrose, ii. 180—185.—Stevenson's Church and State, 499.
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He again unfortunately relied on the treacherous Hamilton, and sent him down with extraordinary powers to reconcile the more open and able traitor, Argyle, to his duty ; but they were in secret correspondence together, and even contracted a family alliance by marriage, and Hamilton united with him in his treason. William Murray, a gentleman of the king's bed-chamber, and to whom the king was much attached, also betrayed his sovereign, and gave Argyle secret information of all the king's intentions. Montrose warned Charles of the intrigues and treachery of this man, and also of Hamilton, and even offered to impeach the latter ; but such was the infatuation of the king, that, where he had placed his affections, his heart clung with such tenacity, that it was impossible to dispel the charm¹.

THE LAST GENERAL ASSEMBLY appointed the next to be holden at St. Andrews, on the last Wednesday of July of this year; accordingly, on the 27th of that month, the Assembly met at St. Andrews. The earl of Dumfermline was present as his majesty's commissioner, and ROBERT DOUGLAS, minister of Kirkaldy, was chosen moderator. The commissioner presented his majesty's letter, which was replete with gracious expressions of his affection, and in turn reminded them of the many favours he had bestowed on them, and as the only recompense he desired that they would labour to keep his subjects in their obedience, both by their doctrine and example.

“ CHARLES R.

“ In the midst of our great and weighty affairs of our other kingdoms, which God Almighty, who is privy to our intentions, and in whom we trust, will, in his own time, bring to a wished and peaceable conclusion, we are not unmindful of that duty which we owe to that our ancient and native kingdom, and to the kirks there, now met together by their commissioners in a national Assembly. God, whose vicegerent we are, hath made us a king over divers kingdoms, and we have no other desire, nor design, but to govern them by their own laws, and the kirks in them by their own canons and constitutions. Where any thing is found to be amiss, we will endeavour a reformation in a fair and orderly way ; and where a reformation is settled, we resolve, with that authority wherewith God hath invested us, to maintain and defend it in peace and liberty against all trouble that can come from without,

¹ Burnet's *Memoirs of the Duke of Hamilton*, 196.

and against all heresies, sects, and schisms, which may arise from within, nor do we desire any thing more in that kingdom (and when we shall hear of it, it shall be a delight and matter of gladness to us), than that the gospel be faithfully preached throughout the whole kingdom to the utmost skirts and borders thereof; knowing that to be the mean of honour to God, of happiness unto the people, and of true obedience unto us; and for this effect, that holy and able men be put in places of the ministry, and that schools and colleges may flourish in learning and true piety. Some things for advancing of those ends we did of our own accord promise in our letter to the last Assembly, and we make ourselves judges who were witnesses to our actions while we were there in person, whether we did not perform them, both in point of presentations, which are in our hands, and in the liberal provision of all the universities and colleges of the kingdom, not only above that which any of our progenitors had done before us, but also above your own hopes and expectations. We do not make commemoration of this our beneficence either to please ourselves or to stop the influence of our royal goodness and bounty afterwards, but that by these real demonstrations of our unfeigned desires and delight to do good, you may be the more confident to expect from us whatsoever in justice we can grant, or what may be expedient for you to obtain. We have given express charge to our commissioner to see that all things be done there orderly and peaceably, as if we were present in our own person; not doubting, but in thankfulness for your present estate and condition, you will abstain from every thing that may make any new disturbance, and that you will be more wise than to be the enemies of your own peace, which would but stumble others, and ruin yourselves. We have also commanded our commissioner to receive from you just and reasonable desires, for what may further serve for the good of religion, that taking them to our consideration, we may omit nothing which may witness us to be indeed a nursing father of that kirk wherein we were born and baptized, and that if ye be not happy, you may blame not us but yourselves. And now what do we again require of you, but that which otherwise you owe to us as your sovereign lord and king, even that ye pray for our prosperity and the peace of our kingdoms, that ye use the best means to keep our people in obedience to us and our laws, which doth very much, in our personal absence from that our kingdom, depend upon your preaching and exemplary loyalty and faithfulness, and that against all such jealousies, suspicions, and sinister

rumours, as are too frequent in these times, and have been often falsified in time past by the reality of the contrary events : ye judge us and our professions by our actions, which we trust, through God, in despite of malice, shall ever go on in a constant way for the good of religion, and the weal of our people, which is the chiefest of our intentions and desires. And thus we bid you farewell. Given at our court at Leicester, the 23d of July, 1642¹."

"To our trusty and well-beloved the General Assembly,
in our kingdom of Scotland, convened at St. Andrews."

Almost all the covenanting lords attended this Assembly under pretence of protecting themselves from the Banders, or Incendiaries, as the loyal nobility were termed ; but in reality to overawe the members themselves, and to keep them firm to revolutionary tactics. Stevenson makes an excuse of the expense of travelling for the thin attendance of ministers, but which I suppose was not greater at that time than on former occasions : "and," he says, "in naming the committees care was taken not to put upon them those members who were known to have wasted too much of the time of former Assemblies with innovations, so that the business in this went on more smoothly than was expected²." The true reason of the paucity of ministers at this Assembly arose from a different cause altogether. The clergy attached to episcopal principles withdrew from all connection with the covenanting ministers, and left them altogether to their own direction. The greater part of the national clergy were attached to the episcopal government which had been overturned in the Assembly of 1638 ; and the strength of the presbyterian party lay in the counties of Lanark, Renfrew, Dumfries, Ayr, and Fife ; but as the episcopal government had been entirely extirpated, and the clergy met only with rude insults from the covenanting brethren, they wholly withdrew from the national Assemblies. Hamilton, with his usual duplicity, declined to attend this Assembly, alleging, as Spalding says, that "he could now do no service for the king." Argyle, however, sat there not only as an assessor to the royal commissioner, "but also as one of the commissioners for the estates of the kingdom, who still opposed the king's commissioner pleading for the king's honour³."

¹ Warriston's Collection of Acts, 111-113.

² Church and State, p. 502.

³ Spalding's History of the Troubles and Memorable Transactions in England and Scotland, ii, 66.

Their first act was "for bringing in of the synod books yearly to the General Assembly¹," and the language of one of their most approved authors shows the inquisitorial and tyrannical interference which the covenanting ministers attempted to establish over the minds and consciences of the people. "Every minister was to be tried five times a year both for his personal and ministerial labours; every congregation was to be visited by the presbytery, that they might see how the vine flourished and how the pomegranate budded. And there was no case nor question in the meanest family in Scotland, but it might become the object of the deliberation of the General Assembly; for the congregational session book was tried by the presbytery, the presbytery's book by the synod, and the synod's book by the General Assembly. Likewise, as the bands of the Scottish church were strong, so her beauty was bright; no error was so much as named; the people were not only sound in the faith, but innocently ignorant of unsound doctrine; no scandalous person could live, *no scandal could be concealed* in all Scotland, so strict a correspondence there was betwixt ministers and congregations. The General Assembly seemed to be the priest with Urim and Thummim, and there were not one hundred persons in all Scotland to oppose their conclusions; all submitted, all learned, all prayed; most part were really godly, or at least counterfeited themselves Jews. Thus was Scotland a heap set about with lilies, uniform, or a palace of silver beautifully proportioned; and this seems to me to have been Scotland's high-noon. The only complaint of profane people was, that the government was so strict, they had not liberty enough to sin: I confess that I thought at that time the common sort of ministers *strained* too much at the sin which in these days was called *malignancy* (and I should not paint the moon faithfully if I marked not her spots); otherwise, I think, if church officers could polish the saints upon earth as bright as they are in heaven, it were their excellency and the church's happiness. *But this season lasted not long*²."

A report was received from some ministers to whom it had been referred to consider the meaning of an act of the Edinburgh Assembly respecting the examination of ministers who were transported from one parish to another, and it was declared that in the case of an actual minister who was transported from one parish to another, the presbytery were only

¹ Session 3, July 29.

² Kirkton's History, 4to. 49, 50.

³ Session 6, August 2.

bound to make trial that his gifts were fit and answerable for his new charge, and that he produced a testimonial from the presbytery from which he was transported, of his former trials and good conversation. "The Assembly approves the meaning and interpretation aforesaid; and appoints the said act according to this interpretation to stand in force, and to have the strength of an act and ordinance of Assembly in all time coming."

To the genuine presbyterian, Patronage has always been a "grievance" and a "burthen which neither they nor their fathers were able to bear;" and, therefore, among other concessions, they wrung out of the king that he and all other patrons, instead of presenting to a vacant living, the presbytery should present a list of six persons, one of whom the patrons were bound to choose. The Assembly, taking advantage of the royal concession, now turned it into "an act anent the order for making lists to his majesty, and other patrons, for presentations; the order of trial for expectants, and for trying the quality of kirks¹." Argyle and some others offered to give up their right of presentation altogether, on condition the ministers would declare by an act of Assembly that they held themselves satisfied with their present modified stipends; but these godly men had not so learned the doctrines of this world as to agree to such an ensnaring proposal, and would by no means tie themselves up from prosecuting augmentations to their stipends. So Argyle had the reputation of offering to abolish patronage; but which he knew the condition he tacked to it would render a dead letter. The next act, "against papists, noncommunicants, and profaners of the Sabbath," ordained the Assembly to draw up a petition to the council "for the due execution of the acts of council made against papists, wherein it will be specially craved, that the exchequer should be the intromitters with the rents of those who are excommunicate, and that from the exchequer the presbytery may receive that portion of the *confiscate goods* which the law appoints to be employed *ad pios usus*. Every presbytery should convene at their first meeting all known papists in their bounds, and require them to put out of their company all friends and servants who are popish, within one month. Also within that same space to give their children, sons and daughters, who are above seven years of age, to be educated at their charges by such of their protestant friends as the presbytery shall approve and to find caution [security] likewise of their

abstinence from mass, and the company of all jesuits and priests That the council may be supplicate for an act, that in no regiment which goes out of the kingdom any papists bear office, and that the colonel be required to find caution for this effect before he receive the council's warrant for levying any soldiers: and also that he find caution for the maintaining of a minister, and keeping of a session in his regiment¹."

In their eighth session the Assembly answered his majesty's letter, which is addressed "To the King's most Excellent Majesty, the hearty thanksgiving and humble petition of the General Assembly of the Kirk of Scotland," met at St. Andrews, July 27th, 1642—

"Our hearts are filled with great joy and gladness at the hearing of your majesty's letter, which was read once and again in face of the Assembly, every time thereof almost either expressing such affection to the reformed religion, and such royal care of us, as we could require from a christian prince; or requiring such necessary duties from us as we are bound to perform as ministers of the gospel and christian subjects. For which, as solemn thanks were given by the moderator of the Assembly, so do we all with one voice, with all humility, present unto your majesty the thankfulness of our hearts, with earnest prayers to God for your majesty's prosperity, and the peace of your kingdoms, that your majesty may be indeed a nursing father to all the kirks of Christ in your majesty's dominions, and especially to the kirk of Scotland, honoured with your birth and baptism; promising our most serious endeavours, by doctrine and life, to advance the doctrine of Christ, and to keep the people in our charge in unity and peace, and in loyalty and obedience to your majesty and your laws. Your majesty's commands to your commissioner, the earl of Dunfermline, to receive from us our just and reasonable desires for what may further serve for the good of religion here, the favours that we have received already, and your majesty's desire and delight to do good expressed in your letter, are as many encouragements to us to take the boldness, in all humility, to present unto your majesty (beside the particulars recommended to your majesty's commissioner), one thing, which, for the present, is the chiefest of all our desires, as serving most for the glory of Christ, for your majesty's honour and comfort; and not only for the good of religion here, but for the true happiness and peace of all your majesty's dominions; which

¹ Johnston's Collection of Acts, 119, 120.

is no new motion, but the prosecution of that same by the commissioners of your majesty's kingdom in the late treaty, and which your majesty, with advice of both houses of parliament, did approve in these words: 'to their desire concerning unity in religion and *uniformity* of church government, as a special means of conserving of peace between the two kingdoms, upon the grounds and reasons contained in the paper of the 10th of March, given in to the treaty and parliament of England;' it is answered upon the 15th of June, 'that his majesty, with advice of both houses of parliament, doth approve of the affection of his subjects of Scotland in their desire of having the conformity of church government betwixt the two nations, and as the parliament hath already taken into consideration the reformation of church government, so they will proceed therein in due time, as shall best conduce to the glory of God, the peace of the church, and of both kingdoms. 11th of June, 1641.' In our answer to a declaration sent by the now commissioners of this kingdom from both houses of parliament, we have not only pressed this point of unity of religion, and uniformity of church government, as a mean of a firm and durable union betwixt the two kingdoms, and without which former experiences put us out of hope long to enjoy the purity of the gospel with peace, but also have rendered the reasons of our hopes and confidence, as from other considerations, so from your majesty's late letter to this Assembly, that your majesty, in a happy conjunction with the houses of parliament, will be pleased to settle this blessed reformation with so earnestly desired a peace in all your dominions. And therefore, we, your majesty's most loving subjects, in name of the whole kirks of Scotland, represented by us, upon the knees of our hearts, do most humbly and earnestly beg, that your majesty, in the deep of your royal wisdom, and from your affection to the true religion, and the peace of your kingdoms, may be moved to consider, that the God of heaven and earth is calling for this reformation at your hands, and that as you are his vicegerent, so you may be his prime instrument in it. If it shall please the Lord (which is our desire and hope), that this blessed unity in religion and uniformity in government shall be brought about, your majesty's conscience, in performing such great duty, shall be a well-spring of comfort to yourself, your memory shall be a sweet savour, and your name renowned in all following generations. And if these unhappy commotions and divisions shall end in this peace and unity, then it shall appear in the providence of God, they were but the noise of many waters, and the voice of a great thunder,

before the voice of harpers harping with their harps, which shall fill this whole island with melody and mirth, and the name of it shall be, **THE LORD IS THERE.**"

The king desired this Assembly in his letter not to interfere with the affairs of the church in England, lest their present peace might be disturbed; but to his request they paid no attention. The Long Parliament sent down a commissioner to the Assembly with the following letter, desiring them to remember their covenant, and the unity of religion that might subsist betwixt the kingdoms.

"The lords and commons of this present parliament assembled, finding to their grief that the distractions of this kingdom daily increase, and that the wicked councils and practices of a malignant party among us (if God prevent them not), are like to cast this nation in blood and confusion, to testify to all the world how earnestly they desire to avoid a civil war they have addressed themselves in an humble supplication to his majesty for the prevention thereof, a copy of which their petition they have thought fit to send at this time to the national Assembly of the church of Scotland, to the intent that that church and kingdom (whereunto they are united by so many and so near bonds and ties, as well spiritual as civil), may see that the like mind is now in them that formerly appeared to be in that nation; and that they are as tender of the effusion of christian blood on the one side, as they are zealous on the other side of a due reformation both in church and state. In which work, whilst they were labouring, they have been interrupted by the plots and practices of a malignant party of papists and ill-affected persons, especially of the corrupt and dissolute clergy, by the incitement and instigation of bishops and others, whose avarice and ambition being not able to bear the reformation endeavoured by the parliament, they have laboured (as we can expect little better fruit from such trees) to kindle a flame and raise a combustion within the bowels of this kingdom; which, if by our humble supplication to his majesty it may be prevented, and that, according to our earnest desire therein, all force and war-like preparations being laid aside, we may return to a peaceable parliamentary proceeding, we do not doubt but that by the blessing of Almighty God upon our endeavours, we shall settle the matters both in church and state to the increase of his majesty's honour and state, the peace and prosperity of this kingdom, and especially to the glory of God, by the advancement of the true religion, and such a reformation of the church as shall be most agreeable to God's word. Out of all which there will also most un-

doubtedly result a most firm and stable union between the two kingdoms of England and Scotland, which, according to our protestation, we shall, by all good ways and means, upon all occasions labour to preserve and maintain."

"*Subscribitur*, JOHN BROWN, *Cler. Parl.*"¹

The Scots commissioners at London also wrote to the Assembly, recommending conformity in church government with England, and to desire them to send up a written description of the presbyterian model: Henderson was accordingly entrusted with drawing up a statement for the imposition of the presbyterian discipline upon England; a procedure that was utterly inconsistent with their professions of obedience to the king's desire that they would not interfere in the affairs of that kingdom. Accordingly, Dunfermline protested that it was not competent for the Assembly to answer the parliament's and commissioner's letters without the king's warrant; but he was opposed by Argyle, who said it was lawful for a free Assembly to make their own answers². Henderson was again instructed to answer the letter from the Long Parliament, in which he and the Assembly entirely set aside the golden rule of doing to others as they would wish to be done unto. Their great complaint was against the introduction of the Liturgy and Book of Canons by their lawful governors, as forcing them into uniformity in worship, as they already were in government, with the church of England; but no sooner had they by the recent revolution obtained uncontrolled power, than they endeavoured forcibly to impose presbyterial government and extemporary worship on the realm of England. Along with their letters the parliament sent a copy of a proclamation for the *extirpation*, root and branch, of episcopacy. Some of the ministers were against any interference in the matter, and wished to be guided by the lord commissioner; but he kept an ominous silence on the subject, which greatly discouraged the few who wished to shew obedience to his majesty's letter. It was therefore resolved to write and express their satisfaction at the prospect of extirpating the church of England, as they themselves had done that of their native country. Spalding calls their letter a pleasant one, but it is too long for insertion, and therefore the material parts only are extracted, leaving out the usual cant of the parties.

"The General Assembly of the kirk of Scotland, &c. . . . That the hearts of all the members of this Assembly, and of

¹ Johnston's Collections, 124, 125.

² Spalding, ii. 70.

all the well affected within this kingdom, are exceedingly grieved and made heavy that in so long a time, against the professions both of king and parliament, and contrary to the joint desires and prayers of the godly in both kingdoms, to whom it is more dear and precious than what is dearest to them in the world, the reformation of religion hath moved so slowly and suffered so great interruption. They consider that not only prelates, formal professors, profane and worldly men, and all that are popishly affected, are bad councillors and workers, and do abuse their power, and bend all their strength and policies against the work of God ; but the God of this world also, with principalities and powers, the rulers of the darkness of this world, and spiritual wickedness in high places, are working with all their force and fraud in the same opposition, not without hope of success, they having prevailed so far from the beginning, that in the times of the best kings of Judah of old, and the most part of the reformed kirks of late, a thorough and perfect reformation of religion hath been a work full of difficulties. This kirk and nation, when the Lord gave them the calling, considered not their own deadness, nor staggered at the promise through unbelief, but gave glory to God. And who knoweth (we speak it in humility and love, and from no other mind than from a desire of the blessing of God upon our king and that kingdom), but the Lord hath now some controversy with England which will not be removed till, first and before all, the worship of His name and the government of His house be settled according to his own will ? When this desire shall come, it shall be to England, after so long deferred hopes, *a tree of life*, which shall not only yield temporal blessings unto themselves, but also shall spread the branches so far, that both this nation and other reformed kirks shall find the fruits thereof, to their great satisfaction. The commissioners of this kingdom, in the late treaty of peace did represent in name of this kingdom their serious thoughts and earnest desires for unity of religion, that in all his majesty's dominions there might be one confession of faith, one directory of worship, one public catechism, and one form of kirk government. This, they conceived, to be acceptable to God Almighty, to be a special means of suppressing the names of heresies and sects, puritans, conformists, separatists, anabaptists, &c. which do rend asunder the bowels both of kirk and kingdom. That the Assembly also, from so many real invitations, are heartened to renew the proposition made by the afore-named commissioners of this kingdom, for beginning the work of reformation at the

uniformity of kirk government. For what hope can there be of unity in religion, of one confession of faith, one form of worship, and one catechism; till there be first one form of ecclesiastical government? Yea, what hope can the kingdom and kirk of Scotland have of a firm and durable peace, till prelacy, which hath been the main cause of their miseries and troubles, first and last, be plucked up root and branch, as a plant which God hath not planted, and from which no better fruits can be expected than such sour grapes as this day set on edge the kingdom of England?"

In prosecution of their views of forcing presbyterial government on the people of England, the Assembly wrote another "pleasant" letter to the Scots commissioners at London, urging them to use every exertion to induce the Long Parliament to enter into their design of uniformity, for the furtherance of which they proposed to appoint a solemn fast throughout the kingdom. The Assembly also received a letter signed by about twenty-five puritan ministers, dated London, 22d July, the burthen of which was to calumniate the English hierarchy, and to desire an uniformity in discipline and worship on the basis of that which was established in Scotland. The Assembly replied in the same strain, and declared that "this whole national kirk is so much concerned in that reformation and unity of religion in both kingdoms, that without it we cannot hope for any long time to enjoy our purity and peace, which hath cost us so dear, and is now our chiefest comfort and greatest treasure. . . . We have resolved to keep a solemn fast and humiliation in all the kirks of this kingdom, the mean by which we have prevailed in times past¹." Accordingly they appointed a fast to be observed generally on *Sunday* the 11th of September:—1, for the great blood, misery, and calamity of Ireland; 2, for the divisions and distractions within England betwixt the king and his people, and that the Lord would bring his majesty's *three* kingdoms under *uniformity* of religion and church government; 3, for to pray to God for fair and seasonable weather to win and ingather the fruits of the ground.

The Assembly passed an act on the 5th of August, wherein they appointed a certain number of ministers and lay-elders to sit in Edinburgh as commissioners of the kirk till the next Assembly, "to sit and cognosce in the same manner as if the General Assembly were personally sitting;" "with as full power to them to proceed, treat, and determine, in any other

¹ Johnston's Acts, p. 143.

matters to be committed to them by this Assembly, as if the same were herein particularly inserted, and with as ample powers to proceed in the matters particularly or generally above-mentioned as any commissioners of General Assemblies have had, and have been in use before¹." The establishment of this commission was opposed by the men of moderate views, on the ground that it might interfere with, and encroach upon, the ordinary jurisdiction of the synods and presbyteries, and in the end supersede them altogether. On the other hand, the extirpators removed this objection by stating that the commission would not be permitted to interfere in the ordinary business or jurisdiction of the inferior courts; but that they were only to correspond with the English puritans for promoting the extirpation of the church in England, and that they were to continue no longer than that cause required. But this commission, thus for the first time established, has continued ever since, although it is a court entirely unrecognised in law; and they were "always to be accountable to, and censurable by, the next General Assembly, for their proceedings;" but it was annulled by the act Rescissory in 1661. This is the *origin of this commission court*: in the intervals of the Assemblies it manages all their ecclesiastical concerns, and it partly arose from their design of carrying out their purpose of extirpating the church of England. There were a few more acts passed in this Assembly; one of which was against those sins which have always followed the establishment of presbytery, for the prohibition of contrary oaths in trying adulteries, fornications, and incests². They appointed the next General Assembly to be held at Edinburgh on the first Wednesday in August, 1643, after which the meeting was dissolved on the 6th of August³.

Soon after the dissolution of the Assembly, the commission met in Edinburgh, to receive the lord Maitland, who had been sent up with the Assembly's answers to the king's, the parliament's, and the ministers' letters. He brought with him an assurance from the parliament that they would grant the Assembly's desire of abolishing "episcopacy root and branch;" and of their resolution to call an assembly of divines to meet in Westminster, for the reformation of religion, and for modelling a new ecclesiastical government, in the following November, and to which they wished the Scots to send commissioners. Some presbyteries in Ayrshire wrote to the new commission, that they

¹ Johnston's Collection, Session 8, pp. 145-148.

² 11 Session, *ibid.* 136.

³ Johnston of Warriston's Collection of Acts of Assembly, pp. 111-156.—Spalding's Troubles.—Stevenson's Church and State, pp. 501-504.—Guthry's Memoirs, pp. 102-104.

had been as yet unable to put down an inveterate superstition, and relic of episcopacy, among a number of the ministers, of kneeling in the pulpits, and concluding their prayers and the Psalms with the doxology, or glory to the holy Trinity. This was so heinous an offence to the covenanting ministers, that they formed the resolution of making "a negative separation" from the episcopalian clergy, all of whom observed these customs. Baillie remarks, that these novations, as he calls them, created great exasperation among the brethren of the presbyterian interest, and, he adds, that Mr. Gabriel Maxwell, and some others, "did write in five sheets of paper a full treatise, in a very bitter and arrogant strain, against the three nocent ceremonies, *Pater Noster*, *Gloria Patri*, and kneeling in the pulpit; proving by a great rabble of arguments, both particular and general, which go far beyond these three particulars questioned, the unlawfulness of our church practices. Of this treatise the same spreads that our brethren were confident to carry, by disputation, in the face of any Assembly, the truth of any of their tenets, and if they were oppressed by wrong determinations, their willingness to suffer all extremities of persecution¹." But this "flame" was allowed to drop, "the generality [of the commission] fearing lest our haste in that matter, after a mutual reformation was set on foot with the English, might give offence to that nation; they condemned the others as bordering upon Brownism²." However, in a short time thereafter, the greatest sticklers for those forms got the better of their prejudices, and we hear no more of their insisting on the practice of them³. The commission were also alarmed by an account from the synod of Aberdeen of the increase of Brownism in that district, and which was spread with great assiduity and considerable success by one Gilbert Gordon. The presbytery of Hamilton likewise complained of the spread of that sect in Clydesdale, through the labours of Alexander Taes. The commission was now beginning to feel the effects of the division that their covenant had commenced, and which it had been the means of propagating; yet so tender were they of their friends in England where Brownism had made considerable progress, that they would make no attempt to extirpate it, but advised the synod and presbytery, that "those things and persons should be tenderly handled, for eschewing offence to the good people of England that favoured those ways⁴."

¹ Letters, ii. 69, 70.

² Guthry's Memoirs, 105.

³ Stevenson's Church and State, 504.

⁴ Guthry's Memoirs, 105, 106.

The king's victory over the rebels at Edgehill, on the 23d of October, occasioned another meeting of the commission on the 15th of November, to determine on what course to follow. The kingdom was divided; the episcopalians were zealous for the king, but supine; the presbyterians were enthusiastic and most active for the parliament; and the ministers, who had made it one of their blackest charges against the bishops for holding civil offices in the state, were now determined to enter into the fray with heart and hand. The covenanters employed every art of oratory, persuasion, and the terrors of the unseen world, to induce the people to support the parliamentary cause; and the commission petitioned the council to convene a parliament, under whose authority the war might be conducted. The council ordered the declaration of the Long Parliament to be printed and sent to all the ministers to be read from the pulpit, shewing their reasons for levying war against their sovereign. This declaration was read by the ministers of the covenant; but it was refused to be read by the loyal episcopal clergy, for which the commission severely censured and threatened them with penalties, which were never inflicted because they were deterred by their numbers. The council at last yielded to the clamours of the covenanters, and sent instructions to their commissioners in England to insist strongly with the king to call a parliament, and the lord London, Johnston, Barclay, and Henderson, were added to the number of those already there, and who were specially to wait on the king. Sir Archibald Johnston, of Warriston's, double-dealing and treachery were now palpable even to the king, and his majesty would not grant him a protection for his journey, so he staid at home. To implore a blessing on this embassy, the council and commission of the kirk appointed a fast to be observed on Sunday the 26th of February next year, and the Wednesday next after. "And about the same time our well-affected nobles and gentry," that is, those who were engaged in this unnatural rebellion, "did contribute about £20,000 sterling for the support of our army in Ireland, till the parliament of England should find leisure to attend to them."

1643.—In February the queen arrived at Burlington from Holland, whither she had accompanied her daughter, the princess Mary, who had married the prince of Orange. The earl of Montrose waited on her majesty at York, and suggested to her "that, although the king's enemies in Scotland did not as yet profess so much, yet they certainly intended to march an

army into England, and to join with the king's rebels there; and for remedy offered, that if the king would grant a commission, himself and many more would take the field and prevent it, which he entreated her majesty to impart to the king at their meeting." Argyle and his faction, hearing that Montrose had gone to wait on the queen, despatched the supple traitor Hamilton to counteract the influence which Montrose's honest patriotism might effect on her majesty. On his arrival he offered to refute all the arguments for vigorous measures which Montrose had proposed, and undertook, without recurring to the use of arms, that he would allay the fervour of the covenanters, and prevent their embodying an army to act against the king. This advice was conveyed to the king, who unfortunately adopted it, and Hamilton was created a duke; and Montrose returned home dispirited and disappointed, but not in despair. Hamilton acquainted Argyle and his faction with the patriotic advice that Montrose had given, and which he had crushed, by his more subtle policy, and that in consequence the covenanters would not meet with any opposition from the king's government. Argyle now, therefore, began to discover the intentions of his party more publicly than he had hitherto done, and to speak openly of the necessity of collecting an army to invade the realm of England, in order, as they said, to be armed mediators betwixt the king and the Long Parliament. Montrose and the other loyalists saw clearly the danger resulting from delay in raising an army for the support of the crown, and sent despatches to the king's head quarters, earnestly soliciting a commission; but which was still denied, owing to the king's affection for Hamilton, and his determination to be guided by the insidious advice which he had given to the queen at York. In order to detach the earl of Montrose from the king's interest, Argyle made overtures to that nobleman to join the rebellious faction, and offered him the second command in their army. To gain time, Montrose pretended to listen to the offer, hoping that the king might discover Hamilton's treachery; but fearing also that he himself might be arrested, he, and his intimate friend, lord Oglevie, went privately to Oxford, and had an interview with the king. Charles still madly clung to Hamilton's advice, and nothing which they suggested to the contrary could prevail on him to allow any measures of precaution to be taken¹.

¹ Intercepted Letter from a Malignant, p. 18.—Guthry's Memoirs, 107-111.—Napier's Montrose and the Covenanters, ii. *passim*;—a work which gives the most candid and minute account of the dark intrigues and treacherous conduct of the chief actors in the grand rebellion.

In May the commissioners that had been sent to importune the king to summon a parliament, returned from Oxford with his majesty's flat refusal "to grant a parliament at that nick of time." The commission of the Assembly met with the leading statesmen, and by the advice of sir Thomas Hope, who, although he was the king's advocate, yet was the constant adviser of all the measures against him, it was resolved to call a convention of the estates, to meet on the 22d of June, and they published a proclamation for the counties and burghs to send commissioners on that day. The commission of Assembly appointed a fast to be kept throughout the whole kingdom on Sunday, the 11th of June, and on the Wednesday following, for a blessing on the good success of the convention against the king. Spalding says, "it was solemnly kept in both Aberdeens: no booth durst be opened in New Aberdeen upon Saturday before, because of the preparation sermon, and charged by tuck of drum¹." The commission of the kirk being ever ready to comfort and abet the Argyle government, met and drew up the following remonstrance, and which was presented by Robert Douglas, Robert Blair, David Dick, and Andrew Cant.

The commissioners of the General Assembly humbly shewing,—

"THAT WHEREAS since their former petition rendered to your lordships, they not only perceive the lets and impediments of this so much desired work of reformation in our neighbour kingdom of England, to be grown greater in respect of an army of papists now on foot in that kingdom, but we perceive that by the malice and force of that party our own religion and peace may be troubled at home: and, therefore, have resolved not only to renew their humble supplications to his majesty for promoting of that work of reformation within that kirk, but also to represent to his majesty that the religion and peace of this kirk and kingdom (so happily established by his majesty) cannot be secure and safe, if the papists in that kingdom continue in arms; and to render to his majesty such other desires as they conceive necessary for promoting of that work of reformation in that kirk, and preventing all dangers to the reformation and peace of this. Therefore the said commissioners of Assembly do most earnestly petition your lordships that, taking to your lordships' wise and serious consideration, the premises, you will concur with them in the like desires to his majesty, and contribute all your best endeavours for removing

¹ Troubles, ii. 136.

the lets and impediments of that work of reformation in England, and for securing our own reformation and peace at home."

To which it was answered,—“The commissioners declare they will concur with the General Assembly in supplicating of his majesty for removal of episcopacy, for establishing the unity of religion and uniformity of church government, and for the meeting of divines; and in general they will be assisting to his majesty with the desire of the petition of the General Assembly.”

The convention of estates sat down on the 22d of June, and as the royal authority was merely nominal, the king was advised to authorise the convention, which he had not the power to prevent. The earl of Lanark, therefore, presented the king's letter permitting the estates to meet, consult, and conclude upon the best way of supplying the Scots army in Ireland, obtaining payment of the arrears due to them by the English parliament, and preventing groundless jealousies of his majesty, providing that nothing might be done by them tending to raise arms for the English, or contradict any of the foregoing particulars.

ON THE SAME DAY the commission of the Assembly also met; for nothing could be done without the advice of the ruling ministers. Their remonstrance was well received, and they were instructed to frame and present another which should embody their reasons and advice for uniting with the parliament in opposition to the king. This was drawn up by sir Archibald Johnston, their clerk, and the following is the substance of it:—1st, they apprehend the war is for religion; 2, the protestant faith was in danger; 3, gratitude for former assistances at the time of the reformation required a suitable return; 4, because the churches of England and Scotland being embarked in one bottom, if one be ruined the other cannot subsist; 5, the prospect of an uniformity between the two kingdoms in discipline and worship will strengthen the protestant interest at home and abroad; 6, the present parliament had been friendly to the Scots, and might be so again; and 7, though the king had so lately established religion among them, according to their desires, yet they could not confide in his royal declarations, having so often found his actions and promises contradict one another¹.

This was just what the dictator and his associates wanted; and, of course, they highly approved of the godly zeal of the

¹ Stevenson's Church and State, p. 505.

ministers, and a vote of thanks unanimously passed the convention for such a refreshing stimulus to their following out "God's cause in hand." The convention only wanted a decent pretext for passing a resolution to take arms in defence of their religious opinions, but which had been long before determined on by Argyle and his party. Yet the great majority of the people were loyal, and favoured the cause of the king, not only from natural duty, but also because he had made such great concessions, and in all his letters and declarations he had promised solemnly never to alter or reverse them. It was necessary, therefore, to proceed with caution, and some of the agitating ministers were instructed to circulate a report, by way of a feeler, that the southern parts of the kingdom were molested by a species of free-booters, called Moss-troopers. On this report the convention authorised the raising of three troops of horse to subdue them. Sir John Brown was appointed to the command; but the royalists easily detected the real object of the convention, and sir John himself found there was no enemy to encounter, and therefore traversed the country to keep the royalists in awe. The convention looked also to the sinews of war, and laid a land tax on each county according to the valued rental, which was felt to be so heavy, that they were obliged afterwards to mitigate the terms; and they also ratified the gift of the tithes to the earl of Loudon. On the 2d of August the convention appointed a committee of the estates, with authority "to do whatever the exigencies of the times might require, either as to raising men or money."

COMMISSIONERS from the Long Parliament arrived in Edinburgh to attend on the convention and Assembly, among whom was Mr. Nye, an Independent, and a preacher. Their object was to mature that uniformity of doctrine and discipline for which the covenanters had revolted alike from their spiritual and civil governors. It appears, however, to be an impossibility to establish any uniformity betwixt sects of such opposite tendency as presbyterians and independents; but, in truth, their uniformity consisted entirely in political expediency, for both parties were so deeply engaged in the revolt of the times that union in military co-operation was the only real object in view betwixt the political leaders, however much the ministers might deceive themselves, and each dream of the supremacy of his own system. The presbyterians would not move unless the covenant was made the basis of all the negotiations for the proposed uniformity? and Nye, with the other parliamentarians, were obliged to agree to, and sign it;

before they could be admitted to hope for any assistance from the covenanters. Nye delivered a commission to the convention for the meeting of an Assembly of divines at Westminster on the 1st of July, to settle uniformity in the doctrines to be established over the three kingdoms, and to take order for the reformation of the church of England.

ARGYLE and his associates agreed with the parliamentary commissioners to a convention or treaty, of which the following is the substance:—1st, that the Solemn League be sworn and subscribed by both kingdoms; 2d, that an army of 18,000 foot, and 3000 horse, with a train of artillery, should be ready to march into England with all convenient speed, well armed, and provided with victuals and pay for forty days. 3d, that this army be commanded by a Scottish general, but subject to such regulations as should be agreed on betwixt the two kingdoms, or their committees. 4th, that the charge be computed by the Scots as if done for themselves, a regular account thereof to be delivered to the English commissioners, and the same to be repaid whenever the peace of the two kingdoms was settled. 5th, the Scottish army to be paid as if employed on their account; and towards the defraying thereof, to be paid £30,000 monthly by the English out of the estates of papists, prelatists, &c., and in case the said sum, or any part thereof, were not regularly paid, the balance to bear five per cent. interest, all upon the public faith of the kingdom of England. 6th, that £100,000 be paid in advance, to be deducted from the first monthly payments that should become due. 7th, that the Scots pledge their faith jointly with the English for raising £200,000 for the purpose mentioned in the last article, and to supply the Scotch army in Ireland, to be repaid by England. 8, that no pacification should be made without the consent of both kingdoms. 9th, that the faith of the kingdom of Scotland be given, that neither their entrance to, nor continuance in, the kingdom of England, should be employed to other purposes than are expressed in the said treaty. 10th, that England shall assist Scotland in the like extremities. And 11th, that during the time the Scots are so employed, eight ships of war should on the English expense be employed for protecting the Scottish trade and coasts, under the command of officers named by the earl of Warwick, admiral of the parliament¹.

ACCORDING to the appointment of the last Assembly, that for

¹ Stevenson's Church and State, 570. — Guthry's Memoirs. — Spalding's Troubles.

this year sat down on Wednesday, the 2d of August, and which was held as a solemn fast. The king wished to have appointed either the earls of Glencairn or of Lindsey as his commissioner, but both these noblemen declined to act. The king's commission was therefore sent down with a blank for the commissioner's name, and Lanerk, with the faithless treachery of his family, filled it up with the name of sir Thomas Hope, the lord advocate, who had been the secret councillor and instigator of the covenanters from the commencement of their revolt. It was the intention of the Assembly to have elected Robert Blair as their moderator, but a sudden illness prevented him, and they were obliged to elevate Henderson to that dignity. "This Assembly sat in the new church; some small burghs had no members, and some presbyteries at a *distance* had but one:" but the fact is, that the episcopal clergy stood aloof, and they were the great majority in the north, and the scarcity of members from a *distance* is easily accounted for. A clause in the commission to Hope, which gave him the power of proroguing the Assembly *sine die*, gave great offence to the ministers; whereas they submitted without any murmur to the interference and dictation of the rebel government. But, says Stevenson, "what most offended them was the uncouth address of the king's letter to his commissioner above named, and the rest convened with him. The commissioner proffered satisfaction in both these respects, but forgot his promises when urged to perform them; and it was remarked that, though many nobles and others of distinction were present as ruling elders, scarce any of them attended the lord commissioner, but all of them sat at the ministers' table, as well knowing that their influence would be of most use there." "None of the noblemen attended the commissioner; at once the great commission will become vile. They sat at our table constantly before noon; for afternoon they behaved to keep with the states¹."

Here follows the royal letter, which gave so much offence to the sensitive feelings of the covenanting ministers:—

"CHARLES R.

"Trusty and well beloved, we greet you well. The time now approaching for the holding of the General Assembly of our kirk of Scotland, and we having appointed sir Thomas Hope, our advocate, to be our commissioner there; we thought good to present him there with these our letters, and to take

¹ Stevenson's Church and State, 511.—Baillie's Letters, ii. 85.

this occasion to mind you of the duty which you owe to us your sovereign, and to the peace of that our native kingdom. How far we have lately extended our grace and favour towards satisfaction of your humble desires, there is not any amongst you but may well remember. And therefore, in this conjunction of our affairs, it is but reasonable that we expect from you such moderation in the dutiful proceedings of this Assembly, as may concur with our princely inclinations and desires, to preserve the kirk in that our kingdom in peace; having well observed that alterations in point of religion are often the inlets to civil dissensions, and the hazard, if not the overthrow, of both kirk and kingdom. Therefore, if our great affection and special tenderness to your peace (who of all our dominions are yet happy therein to the envy of others), we conjure and require you in the fear of God, and obedience of us, his vicegerent, that your endeavours and consultations tend only to preserve peace and quietness among you. And so we bid you farewell. Given at our Court at Oxford, the 22d day of July, 1643¹."

So zealous were the brethren in the cause of presbytery, that to each regiment serving in the army in Ireland one or more chaplains were attached, and which constituted a presbytery in the camp: from this presbytery John Scott was sent as commissioner to this Assembly, and received as a member. In the third session it was determined, "if professors of divinity in universities be ministers, that they may be chosen commissioners to the General Assembly, either by the presbytery as ministers, or by the university as professors of divinity²." In consequence of this act the modern practice is, that each university sends up one of its own members, who may be either a minister or a lay-elder. In the 4th session, August the 5th, a petition was received from the presbyterians in the north of Ireland, who, as usual, complain of the backslidings of the kirk, even in the midst of the sunshine of the gospel, and they required a supply of at least fourteen ministers, for "we want bread, and must not only as before have a bit for our present need, but also seed to sow the land There are about twelve or fourteen waste congregations on this nearest coast: let us have at least a competent number, that may erect Christ's throne of discipline." The petition was favourably received, but their own deficiency of ministers of presbyterian principles at home prevented their complying to the full extent with its

¹ Johnston's Collection of Acts, 157-8.

² Ibid. 159.

prayer; for although the episcopal clergy were quiet, they still retained their churches and parishes north of the Tay, and as presbyterial meetings were lawful and customary under bishops, they also continued to meet for self government, but seldom took much interest in the General Assemblies.

In the fourth session a complaint was made of the increase of witches since the dominance of the Solemn League; and the Assembly was gravely assured that in the county of Fife alone no less than *thirty* poor old women *had been burnt alive* under suspicion of having been witches, within the last few months!¹ The Assembly named a committee to search for these sinners, and report the way to search for and cure that sin, and they discovered that the causes of witchcraft were “found to be these especially—extremity of grief, malice, passion, and desire of revenge, pinching poverty, solicitation of other witches, and charms; for in such cases the devil assails them, offers aid, and much prevails.” The report having been made, it was enacted—“The Assembly approves the articles and overtures aforesaid, and ordains every presbytery to take to their further consideration by what other ways or means the sins aforesaid of witchcraft, charming, and consulting with witches, or charmers, and such like wickedness, may be tried, restrained, and *condignly* censured and punished, ecclesiastically and civilly—[that is, to be burnt alive]: and to report their judgment therein to the next Assembly².”

On Monday, the 7th of August, the commissioners from the Long Parliament arrived at Leith, and several of the covenanting noblemen went to meet and welcome them, and they were brought up to Edinburgh in a coach. Henderson found it necessary to exhort the brethren “to be more grave than ordinary” when these august strangers should appear; “and so indeed all was carried to the end with much more awe and gravity than usual. Mr. Henderson did moderate with some little austere severity, as it was necessary, and became his person well.” Along with the civilians were associated two ministers, Stephen Marshall, a presbyterian, who, it is said, was eminently pious and eloquent, and Philip Nye, an Independent or Brownist. They presented their introductory letter, and also their commission from both houses of parliament, giving very ample power to the commissioners to treat with the Assembly and assist in all ecclesiastical affairs. They also presented a declaration of both houses of parliament to the Assembly, expressive of their care for the reformation of

¹ Baillie's Letters, ii. 88.

² Johnston's Collection, 188, 190.

religion and the extirpation of the episcopal order. In this declaration they request the Assembly to send up "such a number of godly and learned divines as in their wisdom they think most expedient for the furtherance of this work And that their endeavours may be the more effectual, the two houses do make this request to them with their authority, advice, and exhortation, so far as belongs to them, to stir up that nation to send some competent forces in aid of this parliament and kingdom against the many armies of the popish and prelatical party, and their adherents, now in arms for the ruin and destruction of the reformed religion, and all the professors thereof. In all which they shall do that which shall be pleasing to God, whose cause it is, and likewise safe and advantageous to their own church and kingdom, who cannot securely enjoy the great blessings of religion, peace, and liberty, in that kingdom, if this church and kingdom, by the prevailing violence of that party, shall be brought to ruin and destruction¹."

On the subject of this declaration there were many private meetings of the leading Covenanters, at which Baillie says he was present. All were agreed to give military assistance to the puritan rebels, but they differed greatly as to the mode. One party was for sending a military force to act as "redders," [that is, umpires,] and as friends to both the belligerents, without joining with either; but Johnston convinced the "redders" of the necessity and policy of throwing their whole weight into the parliament's scale. The English commissioners were for a civil league; but the Covenanters for a religious covenant, of which Henderson presented a draft. The English commissioners were favourable to Brownism and independency; against which the Covenanters were furiously peremptory. The success of the royal arms made this negotiation shorter than it would otherwise have been. The parliamentary commissioners clearly saw that no assistance would be derived from the covenanters without taking their covenant; and the latter were encouraged to rise in their demands, by holding the balance in their hands betwixt the parliament and the king. No time was to be lost; but sir Henry Vane and the other commissioners outwitted the Covenanters at their own game, and only agreed to the covenant under the obligation, to be inserted in it, "according to the word of God, and the example of the best reformed churches," which left a door open for either independency, or any other form which might be

¹ Johnston's Collection, 167.

thought most agreeable to that word. After a long and able speech, Henderson asked the opinions of several of the members, and Mr. Guthry, of Stirling, among others. The Assembly generally referred the question to the judgment of the moderator and his assessors; but Mr. Guthry rose and said, "that he observed the assembly of divines in their letter, and the parliament in their declaration, were both clear and particular concerning the *privative* part, viz. that they would *extirpate* episcopacy root and branch; but as to the *positive* part, what they meant to bring in, they huddled it up in many ambiguous general terms, so that whether it would be presbytery, or independency, or any thing else, nobody knew, and no man could pronounce infallibly concerning it: therefore, that so long as they stood there and would come no further, he saw not how this church, which holdeth presbyterian government to be *juris divini*, could take them by the hand." Whereupon he wished "that, before there were any further proceeding, the Assembly would be pleased to deal with the English commissioners present, to desire the parliament and divines assembled at Westminster to explain themselves, and to be as express concerning that which they resolved to introduce, as they had been in that which was to be removed."

This sensible motion fell to the ground for want of being seconded, although the moderator was struck with it, and paused a sufficient time to allow it; but he and his assessors had the entire management of the negotiation in their own hands; "and Mr. Guthry's reward for what he had spoken was, that all the zealots cried him down as a rotten malignant, and an enemy to the cause; conceiving, that his pleading for presbyterian government flowed not from any love to it, but to baffle the work." It was finally agreed, that the solemn league and covenant, as now adjusted, should be sworn and subscribed throughout both nations¹.

Neal says, "sir Henry Vane put the word *league* into the title, as thinking that might be broken sooner than a covenant; and, in the first article, he inserted that general phrase of re-forming 'according to the word of God,' by which the English thought themselves secure from the inroads of presbytery; but the Scots relied upon the next words, 'and according to the practice of the best reformed churches,' in which, they were confident, their discipline must be included. When Mr. Colman read the covenant before the House of Lords, in order to their subscribing it, he declared that by prelacy all sorts of

¹ Guthry's Memoirs, 117—119.

episcopacy was not intended, but only that form therein described. Thus the wise men on both sides endeavoured to *out-wit* each other in wording the articles; and, with these slight amendments, the covenant passed the Assembly and both Houses of Parliament, and by an order, dated 21st September, was printed and published¹."

On subscription of this league, the Covenanters agreed to assist the parliament to the utmost of their power, as they pretended to discover that the misunderstanding betwixt the king and the parliament was for the reformation of religion, that is, the extirpation of the church. "This being concluded upon (without advice, consent, or knowledge of the king) by the council, estates, and assembly aforesaid, or at least by a committee from the said General Assembly appointed to that effect, this covenant was made up, and first approved by the General Assembly by an imprinted act, dated the 14th August; next, the same was approved by another imprinted act by the convention of estates, dated the 17th August²."

"Though," says Mr. Skinner, "these Covenanters plead the 'example of God's people in other nations,' it is well known that the example is not peculiar to such as they affect to call 'God's people;' for the '*holy league*,' in France, which was first projected by the cardinal of Lorraine, a plotter on the popish side fully as zealous as Mr. Henderson on the puritan, had the same pretext of religion, and held forth the same ensnaring profession, of 'rendering due obedience to the king in maintaining the exercise of the true religion.' A like imitation of the Romish pattern is but too observable in the fourth article about the discovery of malignants; which seems to be neither more nor less than setting up a court of inquisition in every corner, perhaps in every family, of the kingdom, and obliging the son, if he shall think his father a malignant, to inform against him, and prosecute him to death. In short, it is easy to see upon the very face of this studied composition of hypocrisy and impudence, that, under the mask of reformation, the main design of it was aimed against the king; whom, with all their pretended loyalty of heart and fallacious engagements of defence, they could not but, in conformity to their expressions, look upon as one of 'the enemies of God,' being then in open war against 'the professors of the true religion,' who were thus solemnly leaguings and covenanting together. Yet, such as it was, it passed without hesitation in the Assembly; and was, the same day, joyfully received and ratified by the con-

¹ Neal's Puritans, ii. 218.

² Spalding's Troubles, ii. 144.

vention of the estates, which had met at the king's summons : on which Bishop Burnet, in his *Memoirs*, remarks, that ' wise observers wondered to see a matter of that importance carried through upon so little deliberation and debate. It was thought strange to see all their consciences of such a size, and to agree so exactly as the several wheels of a clock, which made it be suspected that there was some first mover that directed all these other motions. This, by the one party, was imputed to God's extraordinary providence ; but by others to the power and policy of the leaders, and to the fear and simplicity of the rest ¹.' "

As the covenant, which was now produced and signed, is a little different from that originally subscribed in 1638, I insert it here verbatim as it stands in the Confession of Faith :—

" THE SOLEMN LEAGUE AND COVENANT.

FOR

" Reformation and defence of religion, the honour and happiness of the king, and the peace and safety of the three kingdoms of Scotland, England, and Ireland ; agreed upon by commissioners from the parliament and assembly of divines in England, with commissioners of the convention of estates and General Assembly in Scotland. Approved by the General Assembly of the Church of Scotland, and by both Houses of Parliament and Assembly of Divines in England, and taken and subscribed by them, anno 1643 ; and thereafter, by the said authority, taken and subscribed by all ranks in Scotland and England the same year, and ratified by act of the parliament of Scotland, anno 1644 : And again renewed in Scotland, with an acknowledgment of sins and engagement to duties, anno 1648, and by parliament 1649 ; and taken and subscribed by King Charles II. at Spey, June 23, 1650 ; and at Scoon, January 1, 1651.

" WE, Noblemen, Barons, Knights, Gentlemen, Citizens, Burgesses, Ministers of the Gospel, and Commons of all sorts, in the kingdoms of Scotland, England, and Ireland, by the providence of God living under one king, and being of one reformed religion, having before our eyes the glory of God, and the advancement of the kingdom of our Lord and Saviour JESUS CHRIST, the honour and happiness of the king's majesty and his posterity, and the true public liberty, safety, and peace of the kingdoms, wherein every one's private condition is included : And calling to mind the treacherous and bloody plots, conspiracies, attempts, and practices of the enemies of God, against the true religion and professors thereof in all places, especially in these three kingdoms, ever since the reformation of religion ; and how much their rage, power, and presumption are of late, and at this time, increased and exercised, whereof

¹ Skinner's *Ecclesiastical Hist. of Scotland*, ii. 371, 372.

the deplorable state of the church and kingdom of Ireland, the distressed estate of the church and kingdom of England, and the dangerous estate of the church and kingdom of Scotland, are present and public testimonies, we have now at last, (after other means of supplication, remonstrance, protestation, and sufferings,) for the preservation of ourselves and our religion from utter ruin and destruction, according to the commendable practice of these kingdoms in former times, and the example of God's people in other nations, after mature deliberation, resolved and determined to enter into a mutual and Solemn League and Covenant, wherein we all subscribe, and each one of us for himself, with our hands lifted up to the most HIGH God, do swear,

“ I.—That we shall sincerely, really, and constantly, through the grace of GOD, endeavour, in our several places and callings, the preservation of the reformed religion in the church of Scotland, in doctrine, worship, discipline, and government, against our common enemies; the reformation of religion in the kingdoms of England and Ireland, in doctrine, worship, discipline, and government, according to the word of GOD, and the example of the best reformed churches; and shall endeavour to bring the churches of GOD in the three kingdoms to the nearest conjunction and uniformity in religion, confession of faith, form of church-government, directory for worship and catechising; that we, and our posterity after us, may, as brethren, live in faith and love, and the LORD may delight to dwell in the midst of us.

“ II.—That we shall in like manner, without respect of persons, endeavour the extirpation of popery, prelacy, (that is, church-government by archbishops, bishops, their chancellors and commissaries, deans, deans and chapters, archdeacons, and all other ecclesiastical officers depending on that hierarchy,) superstition, heresy, schism, profaneness, and whatsoever shall be found to be contrary to sound doctrine and the power of godliness; lest we partake in other men's sins, and thereby be in danger to receive of their plagues, and that the LORD may be ONE, and his name ONE, in the three kingdoms.

“ III.—We shall, with the same sincerity, reality, and constancy, in our several vocations, endeavour, with our estates and lives, mutually to preserve the rights and privileges of the parliaments, and the liberties of the kingdoms; and to preserve and defend the king's majesty's person and authority, in the preservation and defence of the true religion and liberties of the kingdoms; that the world may bear witness with our

consciences of our loyalty, and that we have no thoughts or intentions to diminish his majesty's just power and greatness.

"IV.—We shall also, with all faithfulness, endeavour the discovery of all such as have been or shall be incendiaries, malignants, or evil instruments, by hindering the reformation of religion, dividing the king from his people, or one of the kingdoms from another, or making any faction or parties amongst the people, contrary to this League and Covenant; that they may be brought to public trial, and receive condign punishment, as the degree of their offences shall require or deserve, or the supreme judicatories of both kingdoms respectively, or others having power from them for that effect, shall judge convenient.

"V.—And whereas the happiness of a blessed peace between these kingdoms, denied in former times to our progenitors, is, by the good providence of God, granted unto us, and hath been lately concluded and settled by both parliaments; we shall each one of us, according to our place and interest, endeavour that they may remain conjoined in a firm peace and union to all posterity, and that justice may be done upon the wilful opposers thereof, in manner expressed in the precedent article.

"VI.—We shall also, according to our places and callings, in this common cause of religion, liberty, and peace of the kingdoms, assist and defend all those that enter into this League and Covenant in the maintaining and pursuing thereof; and shall not suffer ourselves, directly or indirectly, by whatsoever combination, persuasion, or terror, to be divided and withdrawn from this blessed union and conjunction, whether to make defection to the contrary part, or to give ourselves to a detestable indifferency or neutrality in this cause which so much concerneth the glory of God, the good of the kingdom, and honour of the king; but shall, all the days of our lives, zealously and constantly continue therein against all opposition, and promote the same, according to our power, against all lets and impediments whatsoever; and, what we are not able ourselves to suppress or overcome, we shall reveal and make known, that it may be timely prevented or removed: All which we shall do as in the sight of God.

"VII.—And because these kingdoms are guilty of many sins and provocations against God, and his Son JESUS CHRIST, as is too manifest by our present distresses and dangers, the fruits thereof, we profess and declare, before God and the world, our unfeigned desire to be humbled for our own sins, and for the sins of these kingdoms: especially, that we have not as we ought valued the inestimable benefit of the gospel; that we

have not laboured for the purity and power thereof; and that we have not endeavoured to receive CHRIST in our hearts, nor to walk worthy of him in our lives, which are the causes of other sins and transgressions so much abounding amongst us; and our true and unfeigned purpose, desire, and endeavour for ourselves, and all others under our power and charge, both in public and in private, in all duties we owe to God and man, to amend our lives, and each one to go before another in the example of a real reformation; that the LORD may turn away his wrath and heavy indignation, and establish these churches and kingdoms in truth and peace. And this Covenant we make in the presence of ALMIGHTY GOD, the searcher of all hearts, with a true intention to perform the same, as we shall answer at that great day when the secrets of all hearts shall be disclosed; most humbly beseeching the LORD to strengthen us by his HOLY SPIRIT for this end, and to bless our desires and proceedings with such success, as may be deliverance and safety to his people, and encouragement to other christian churches, groaning under, or in danger of, the yoke of antichristian tyranny, to join in the same or like association and covenant, to the glory of GOD, the enlargement of the kingdom of JESUS CHRIST, and the peace and tranquillity of christian kingdoms and commonwealths."

Nye and Marshall presented a "letter from some brethren of the ministry in the kirk of England, in which they complained, that 'that which broke their hearts was the danger we behold the protestant religion and all the reformed churches in at this time, through that too great and formidable strength the popish faction is now arrived at. . . . And give us, reverend and honoured in the Lord, your advice, what remains for us further to do, for the making of our own and the kingdom's peace with God. . . . And be pleased to advise us further, what may be the happiest course for the uniting of the protestant party more firmly; that we may all serve God with one consent, and stand up against antichrist as one man¹.'" Baillie says, that "this letter of the private divines was so lamentable, that it drew tears from many²." Alas! many, indeed, wept tears of blood at that time; and the sword, drawn by religious insubordination and intolerance, was sweeping through the land in execution of the divine judgments upon a guilty people. "It is true," says a presbyterian author, "adversaries have all along objected that this covenant was a device of hell; be-

¹ Johnston's Collections, 168—170.

² Letters, ii. 89.

cause, say they, it binds to hostile measures, and to the extirpating of popery and prelacy *by the sword*. But if we would carry in our eye, that an army of papists and episcopals were at that instant ruining the cause of religion and liberty, it seems but reasonable to admit, that presbyterians might stand in defence of these, and that, the better to accomplish this, they might warrantably enter into a solemn league and covenant¹. This author inverts the order of things; for the episcopalians were at that moment acting *in defence* of the throne and the altar: both of which the presbyterians were pulling down and *extirpating*, under the vows and obligations of this "*device of hell to extirpate prelacy by the sword*."

On Thursday, the 17th, the covenant was signed by the Assembly and the English commissioners, after some little formal opposition from Hope, the king's representative; which, he said, was merely given in his *official* capacity, as, privately, he quite concurred with the act of the Assembly, and gave it "*his hearty consent*." And Baillie innocently adds, "the moderator and Argyle did so always *overawe* his grace, that he made us not much trouble²." The Westminster divines only required ministers to attend their assembly; and it was therefore debated, whether or not elders too, as forming part of the presbyterian discipline, should not also be sent. It was carried to send elders likewise; and the Assembly appointed the following ministers and elders as commissioners to the Westminster assembly:—Messrs. Alexander Henderson, Robert Douglas, Samuel Rutherford, Robert Baillie, and George Gillespie, ministers; John, earl of Cassilis, John, lord Maitland, and sir Archibald Johnston, of Warriston, elders.

In the 12th session, an act was passed for preparing the Directory for public worship, "that all the ministers of the particular kirks within this kingdom, in their administration, keep unity and uniformity in the substance and right ordering of all the parts of the public worship of God; and that all the particular kirks, by the same unity and uniformity, testify their unanimous consent against all schism and division, into which these times, through the working of Satan and his instruments against the propagation of the gospel of peace, are so inclinable³." When the bishops proposed an uniform liturgy, it was considered an intolerable tyranny and a stinting of the spirit; but the imposition of a directory by the same men who objected to the liturgy shews that they only complained of tyranny when they themselves were called on to yield obedience

¹ Stevenson's Church and State, 513.

² Letters, ii. 95, 96.

³ Johnston's Collections, 172.

to lawful authority, but that which they considered *despotism* in others became lawful and right when wielded by themselves. Henderson, Calderwood, and Dickson, were appointed to draw up the directory, "wherein," says Baillie, "I wish them much better success than I expect;" and he gave it as his opinion "that the directory might serve for many good ends, but no ways for suppressing, but much *increasing*, the ill of novations¹."

An act was passed, to suspend for the first offence, and deprive for the second, such ministers as should hold any communication with excommunicated persons; and, if the presbyteries should be negligent in enforcing this act, they were to be sharply censured by the synod. This was directly levelled at the bishops, and all other the king's friends, who had been excommunicated by the Assembly of 1638; which shews the tyranny that is inherent in all bodies of men when they have cast off obedience to their lawful superiors. Another act followed, "anent an order for using *civil* execution against excommunicate persons," which renewed an act of parliament made by Morton in 1578, but which had been suspended by James the Sixth, to *imprison* all excommunicated persons, and to *confiscate their whole property*; and, in addition, they ordered every presbytery to report the names of all whom they excommunicated, that the public prosecutor might immediately proceed against them. By the manner of the wording of the solemn league and covenant, the covenanters pretended to defend the king, and the true liberties of the kingdom; but if his majesty should, according to their view of the case, fail in his defence of them, then they considered that they were no longer bound to support his person and authority. The following answer of the Assembly to the king's letter shews their lip loyalty; and, when taken in conjunction with the covenant, it exhibits the deep hypocrisy of the chiefs, and the weak credulity of the inferior actors in the drama:—

"Although the many and ample testimonies of your majesty's royal favour and bounty towards this kirk and kingdom, by living and lasting monuments, to hold all your majesty's good subjects, and us most of all, in remembrance of that duty which we owe to your majesty, our great benefactor, never by any length of time to be deleted out of our minds; yet when we remember, even of conscience, we owe honour and subjection unto your majesty as our dread sovereign, as well in your majesty's absence as presence, we find our obligation to be religious thereby much increased: and therefore have we at this time, in

¹ Letters, ii. 95.

all our consultations and conclusions, of which some have been of more than ordinary weight and concernment, in answer to certain propositions made unto us by the commissioners of the houses of parliament of your majesty's kingdom of England, and some reverend divines assisting them, fixed our eyes and thoughts upon your majesty's honour and happiness, with no other and no less intention than if we had been honoured by your majesty's royal person in our assembly. And in like manner have given such instructions to some ministers and others to be sent unto the assembly of divines now in England, as, next unto the honour of God and the good of religion, may most serve for your majesty's preservation and the peace of your kingdoms; concerning which the commissioners of the last General Assembly have so fully expressed their humble thoughts and desires, in their supplication and remonstrance sent unto your majesty, that we need not add any thing, and your majesty's time and affairs forbid all repetition. We do only, in all humility, beseech your majesty to judge of us and our proceedings by the nature and necessity of our vocation, and the rules prescribed in the word of God for our direction, and not by uncertain rumours and ungrounded reports of such men as have not the fear of God before their eyes. And do earnestly pray to Almighty God, in whose hand are the hearts of kings, to incline your majesty's heart to the councils of truth and peace; to direct your government for the good of your people, the punishment of malefactors, and praise of well-doers; that this fire of unnatural and unchristian war being extinguished, the people of God, your majesty's good subjects, may have a quiet and peaceable life, in all godliness and honesty¹.

The Assembly sent an answer "to the declaration of the honourable Houses of the Parliament of England," in which they name and recommend the commissioners whom they had sent to the Westminster Assembly to the full confidence of the Long Parliament; "with commission and power to them, or any three of them, whereof two shall be ministers, to repair unto the assembly of divines and others of the church of England, now sitting at Westminster, to propound, consult, treat, and conclude with them, and with any committees deputed by the houses of parliament, (if it shall seem good to the honourable houses, in their wisdom, to depute any for that end,) in all such things as may conduce to the *utter extirpation* of popery, prelacy, heresy, schism, superstition, and idolatry; and for the settling of the so-much-desired union of this *whole* island in

¹ Johnston's Collections, p. 193, 194.

one form of church government, one confession of faith, one common catechism, and one directory for the worship of God, according to the instructions which they have received, or shall receive, from the commissioners of the General Assembly appointed to meet at Edinburgh from time to time, with the Assembly's power, for that end¹."

An answer was prepared and signed by Johnston, the Assembly's clerk, "to the right reverend the assembly of divines in the church of England," to whom they desired "to stoop and fall down in the dust to embrace our dearest brethren of England, to whom we are tied in so near and tender relations" of treason, malice domestic, and foreign levy. "It is now more than evident," they say, "to all the kirks of Christ, with what implacable fury and hellish rage the blood-thirsty papistrie, as *Babylon without*, and the prelatical faction, the *children of Edom within*, having adjoined to themselves many malignant adherents of time-serving atheists, haters of holiness, rejectors of the yoke of Christ, (to whom the morning light of reformation is as the shadow of death,) have begun to swallow up the inheritance of the Lord, and are not easily satisfied with making long and deep furrows on our backs. . . . This cloud shall speedily pass away, and a fair sunshine shall appear²." Johnston wrote, in the Assembly's name, "to the reverend their beloved brethren, ministers in the church of England," in reply to their letter which had moved the Assembly to tears. "No wonder that Satan doth thus rage as you relate, foreseeing his casting out: no wonder he stir up all the children of disobedience, and kindle their unnatural malice against *the children of God* with the inspiration of their hellish fury: no wonder the spirit of antichrist be mad, when the morsel, half swallowed down, is like to be pulled out of his throat—the fat morsel, of the rich revenues of England: no wonder he be cruel against you, the servants of Christ, who are *consuming* him by the wrath of the Lord's breath. You will do well to expect no mercy if papists and prelates prevail over you; neither desire we to deceive ourselves with hopes to be free from what their power and malice can do against us: for they will not do to us, if they get the upper hand, as we have done, and must do, if God bring them low again under us as they were before; for we and they are led by the contrary spirits of Christ and antichrist: We have laboured, and must labour, for their conversion; but they (except in so far as God shall bridle them) will not rest without our destruction; for their fury against our persons is much more

fiery than our zeal is fervent against their abominations¹." The words of this letter shew that the mystery of iniquity was working strongly in the Covenanters, and that a *strong spirit of delusion* had been sent upon them to believe a lie, when they could ascribe such works of the flesh as they were then practising to the spirit of Christ; and this delusion is still further exhibited in their ascribing the spirit of antichrist to their opponents, who were performing their duty to God and the king, and assuming that the spirit of Christ was directing the rebels to extirpate by the sword his own institutions.

The last act of this Assembly was to appoint the new commission, which ever after this time became a regular and constituted part of the machinery of the presbyterian government. At first it was erected for political purposes, and which the chief directors of public affairs found then a convenient instrument for preserving the appearance of ecclesiastical concurrence in their opposition to the king. Amongst several of the leading members of the rebel government Argyle is named as the first lay-elder of this, and always of every future commission. Before rising, they appointed the next Assembly to meet at Edinburgh, on the last Wednesday of May, 1644.

The convention of estates ratified the league and covenant, and on the 24th August it was published at the market-cross of Edinburgh, with a proclamation at the same time, commanding all men, between sixteen and sixty, to hold themselves in readiness, upon twenty-four hours' warning, to march when and where they should be appointed, "of whatsoever quality or degree; and shall provide themselves with forty days' provisions, and with ammunition, arms, and other warlike provision of all sorts, in the most substantial manner;" and this altogether in the king's name against himself! Baillie honestly acknowledges, that "the chief aim of it [the covenant] was for the propagation of our church-discipline to England and Ireland." The proclamation is inserted at full length in Spalding's Troubles, and it entirely runs in the king's name, "for the defence of the true protestant reformed religion in the kirk of Scotland, and the reformation of religion in the kirk of England, according to the word of God, and the example of the best reformed kirks, as may bring the kirk of God in both kingdoms to the nearest conjunction and uniformity in religion and church-government." This proclamation was emitted in the king's name, to raise an army to fight against himself, "under the pain to be esteemed and punished as enemies to religion

¹ Johnston's Collections, 202-205.

² Letters, ii. 103.

and our kingdom, and their whole goods to be confiscated to the use of the public. Given, &c. . . . and of our reign the nineteenth year !”

On hearing of this proclamation, the king wrote to the Scottish council, “marvelling that, in his name, they had proclaimed an injunction for all to arm, and had entered in a covenant with his enemies, without his advice¹.” Spalding gives the royal letter itself, wherein the king commands his council to order, by proclamation, “that no such oath or covenant be pressed upon our Scottish subjects, or by them entered into with any persons in name of our houses of parliament and this our letter shall be sufficient warrant to all good subjects not to give obedience to any command under any pretence, from what pretended power soever to the contrary hereof.” But no attention was paid to the king’s letter ; the chancellor did not issue any proclamation intimating the king’s will ; and the people were perplexed, not knowing how to act. All the laws and proclamations ran in the king’s name, although they were direct acts of rebellion against him ; and the rebels having the whole machinery of the government in their own hands, and the royal authority to wield its full powers, instantly visited every recusant with summary and severe vengeance. Thus, says Spalding, “are the king’s whole loyal subjects brought daily more and more under subjection and slavery, under authority or warrant from the king.” The act of Assembly against witches was not allowed to remain a dead letter ; for the same author says, “about this time many witches were taken . . . in Fife . . . and were burnt to death² !”

On the 25th of August the convention adjourned, after having appointed a permanent committee, with full powers to act in the name of the estates. On the 30th, Henderson, Gillespie, Hatcher, Nye, and lord Maitland, set out for London, to procure the consent and signatures of the Long Parliament ; and the other commissioners waited till they heard of the success of the former. The league and covenant was accepted and signed by the parliament and the assembly, as it was found to be the price of the Scottish alliance, otherways they had no great affection either for it or for presbytery ; and Baillie says, “we know the best of the English have very ill will to employ our aid, and the smallest hopes they got of subsisting by themselves make them less fond of us. . . . At last the assembly of divines have *permission* to fall on the question of church-government. What they will do we cannot say. Mr. Hender-

¹ Baillie’s *Letters*, ii. 103.

² Spalding’s *Troubles*, 150, 151.

son's hopes are not great of their conformity to us, before our army be in England¹." The commission of the kirk and the committee of estates, jointly, issued a proclamation, as soon as the covenant had been returned signed from London, ordering that it should be subscribed and sworn throughout the whole kingdom of Scotland, "under the pain of being punished as enemies to religion, his majesty's honour, and the peace of these kingdoms." The commission sent copies of the solemn league to the moderator of every presbytery, with orders to cause it to be read and explained on the first Sunday after it had been received; and on the following Sunday to oblige all men and women, of all ranks and ages, to swear and subscribe it in every parish church—the minister or session-clerk being ordered to sign for those who were unable to write. The privy council subscribed the league and covenant; but, as it was still necessary for Hamilton and his brother to wear the mask, they refused to sign it, and, in consequence, an order for the confiscation of their estates was made, but never put in force, as it was merely done to blind the king to their treachery, and keep up his delusion a little longer. The Hamiltons then pretended to flee for safety to the king's head-quarters; where, when he could no longer shut his eyes to their perfidy, he ordered them under arrest; for they engaged, on being sent to Scotland, to prevent the levy of an army, which made the king neglect other means of hindering it; and Lanark actually signed the warrant in the king's name authorising the estates to raise an army to attack the king as if for his own defence! Through the connivance of James Cunningham, one of the king's confidential servants, Lanark escaped, and immediately joined the Scots commissioners at London, which shews that he had been in correspondence with them before leaving Scotland².

At the conclusion of the harvest, the levies which had been ordered by the estates were called into active service, and placed under the command of the earl of Leven, with general David Leslie for his second in command; and in the end of November a ship of war brought £50,000 in specie from the Long Parliament, to hasten the march of the Scottish auxiliaries. To shew their zeal in the cause, the commission of the Assembly ordered "a regiment of black coats" to be raised, and obliged every minister throughout the kingdom, under the pain of ecclesiastical censure, to furnish a soldier properly equipped and provisioned for forty days, which the covenant-

¹ Baillie's Letters, ii. 103-4.

² Guthrie's Memoirs, 122-24.—Napier's Montrose.

ing ministers readily obeyed; but the episcopal clergy only did so under the terrors of martial and ecclesiastical law. The commission also appointed a national fast to be observed on *Sunday*, the 7th of January in the following year, for a blessing upon the army, the danger of religion, the sins of the land, and a blessing upon the commissioners' labours in England¹. In his prison reflections, the king has the following remarks upon this and the covenant,—“The presbyterian Scots are not hired at the ordinary rate of auxiliaries; nothing will induce them to engage till those that call them in have pawned their souls to them by a solemn league and covenant, where many engines of religious and fair pretensions are brought, chiefly to batter or rase episcopacy. This they make the grand evil spirit, which, with some other imps purposely added, to make it more odious and terrible to the vulgar, must by so solemn a charm and exorcism be cast out of this church, after more than a thousand years' possession here, from the first plantation of christianity in this island, and an universal prescription of time and practice in all other churches since the apostles' times till this last century. But no antiquity must plead for it: presbytery, like a young heir, thinks the father hath lived long enough; and impatient not to be in the bishop's chair and authority (though laymen go away with the revenues), all art is used to sink episcopacy, and launch presbytery in England, which was lately buoyed up in Scotland by the like artifice of a covenant².”

1644.—Public œconomy and revolutions never go hand in hand, and it generally happens that the people suffer greater oppressions and heavier taxation from usurpers than from the most severe of their lawful governors. The covenanters had now two considerable armies in the field, one in Ireland and the other in the north of England, and it became necessary to impose new taxes for their support. Lord Balmerino projected an excise scheme, which was so ill received that the citizens of Edinburgh surrounded the house where the committee sat, in a riotous manner, and threatened to tear Balmerino in pieces if it were persisted in. The committee yielded for the present to the mob, until the convention of the estates should meet. The commission of the Assembly met to support the committee of estates, on the 17th of January, and issued orders to the other ministers to preach on the necessity of imposing this tax for the glory of God and the maintenance of

¹ Guthry's Memoirs, 124.—Spalding's Troubles, 177.

² Eikon Basilike, i. 62, 63.

the covenant ; and they were so successful that when the convention of estates met on the 25th of January, the excise was imposed without a murmur from the people, and the act was proclaimed at the cross. "Wherefore the Cause triumphed and met with no opposition any where throughout the land, for having two armies they became so formidable that all men behoved to submit¹." Although the whole kingdom submitted to Argyle's usurpation, yet the central counties and the northern parts were by no means cordial in their adherence, but from that infatuation which pursued all the king's measures, there was no combination among the loyalists, and although Montrose did at last succeed in convincing the king of the treachery of the Hamiltons, and in obtaining a commission to raise the loyalists, yet it came too late, and all his success and extraordinary efforts availed nothing. "Many of the ancient nobility," says Guthry, "abhorred the course of the covenanters, yet that was no discouragement to the others, in regard they had not such followers as to render them capable to affront it. Which fell out partly through the giddiness of the times, but more by the way his majesty had taken at the beginning of his reign ; at which time he did recover from divers of them their hereditary offices, and also pressed them to quit their tithes (which formerly had kept the gentry in a dependence upon them), whereby they were so weakened, that now when he stood most in need of them (except the chief of the clans), they could command none but their vassals. There were also amongst the ministry, who disliked their way, yet, for fear of *suffering*, complied therewith. For now this new modelled commission of the General Assembly (notwithstanding the fair professions made two years ago, when it was first established at St. Andrews), assume a *legislative power*, and enjoined obedience to their acts *sub pena*: yea, they became so tyrannical, that it may be admired how so much violence and cruelty (as already began to appear amongst them) could lodge in the breasts of churchmen, who pretended to such piety as did Mr. Douglas, Dick, Blair, Cant, and some others, who overruled the commission always, there being nothing but the worst they could do to be expected by any that should happen in the least to oppose them. This prevailed upon men to submit for eschewing persecution²."

On the 7th of January, the fast, which the commission had imposed, was held with great preciseness and gloomy austerity by the covenanting ministers. And at Aberdeen, albeit the

¹ Guthry's Memoirs, 126.

² Ibid. 128.

people cordially hated the covenant, honest Spalding says, "the minister went not out of the pulpit whilst the people reconvened to the afternoon sermon, . . . and no blessing was said after the forenoon's sermon upon Sunday whilst first the afternoon's preaching was done, and so one blessing served for both sermons. The covenant was read out upon Sunday, declaring and expounding the same no ways to be against the king, but against the papists about him¹."

"So all went well with the cause;" and the marquis of Argyle, who was no fighting man, returned from the army in England, and reported its state and good affection to the committee of estates and the commission of Assembly, which now claimed a co-ordinate authority. Guthry says, "Thus all things were quieted at home, and the lords of the council and the commissioners of the General Assembly were *very jovial* at Edinburgh;" but their jollity was soon marred by news of the advance of the marquis of Huntly and some of the loyalists of the north. The two co-ordinate powers of church and state took each their own method of dealing with this unwelcome intruder. The commission immediately excommunicated the loyal Huntly, with James Kennedy, his secretary, and four of his chief supporters, Mr. Irvine, of Drum, and his brother Robert, Mr. Gordon, of Haddo, and Thomas Hay, his servant, and the lairds of Skene and Tippetty. John Adamson pronounced the sentence of the greater excommunication, and the commission ordained that it should be proclaimed from every pulpit in the kingdom under their control. Montrose also, who had erected the royal standard at Dumfries, was excommunicated by the commission on the 26th of April. On this appearance of danger from the loyalists, the committee ordered a new levy to be made of every *eighth* man capable of bearing arms, and placed it under the command of the earl of Callender, who, having dispersed the few men whom Montrose was able to collect in the south, marched into England and united his forces to those under the earl of Leven at Newcastle. About this time the loyal peers of England addressed a letter to the Scottish peers who were attending their army,— "if for no other reason, yet that posterity may know we have done our duties, and not sat still whilst our brethren of Scotland were transported with a dangerous and fatal misunderstanding, that the resolution now taken among them for an expedition into England is agreeable to their obligations by the late treaty, and to the wishes and desires of this kingdom ex-

¹ History of the Troubles, ii. 179.

pressed by the two houses of parliament, we have thought it necessary to let your lordships know, that if we had dissented from that act, it could never have been made a law. And we do conjure your lordships, by our common allegiance and subjection under our gracious sovereign, by the amity and affection between the two nations, by the treaty of pacification (which by any such act is absolutely dissolved), and by all obligations, both divine and human, which can preserve peace upon earth, to use your utmost endeavours to prevent the effusion of so much christian blood, and the confusion and desolation which must follow the unjust invasion of this kingdom, which we (and we are confident all true Englishmen) must interpret as a design of conquest, and to impose new laws upon us; and therefore your lordships may be assured we shall not so far forget our own interest and the honour of our nation as not to expose our lives and fortunes in the just and necessary defence of this kingdom. But if your lordships in truth have any doubts and apprehensions that there is now, or hereafter may be, a purpose to infringe your laws or liberties from any attempt of this kingdom, we do engage our honours to your lordships to be ourselves most religious observers of the act of pacification; and if the breach and violation do not first begin within that kingdom we are confident you shall never have cause to complain of this¹."

Spalding was never able to ascertain whether or not any answer was returned to this "witty letter;" but he was quite sure that its "good and godly counsel" was never followed. Refusing to sign the covenant was the point at which persecution commenced, and many worthy confessors had to leave houses, brethren, wives, children, and lands, for the sake of Christ and the gospel, when called on to sign a document devised by jesuits under pretence of doing God service, but which, in reality, uprooted every fixed principle upon which society is based, prevailed for the time against God's church, and deluged the three kingdoms with their best blood. Among many patient sufferers was Dr. Forbes, of Corse, the son of bishop Patrick Forbes. He was professor of divinity in King's College, Aberdeen, and had conveyed the house in which he lived to his successors in the chair of divinity for ever; but not contemplating any such revolution as then took place, he had neglected to insert a clause in the deed of conveyance to secure his own life rent interest in the property. He was accordingly summarily ejected from the house which he had bestowed on

¹ Spalding's Troubles, ii. 184, 185.

the college, on his refusal to sign the covenant, and had to give it up to his successor, a Mr. William Douglas, minister of Forgue, who had apostatised with the times. On the 4th of April he was obliged to quit his own house and office, and as no peace remained for him or for any of his principles, he went to Holland "to remain in thir dolorous days¹."

THE GENERAL ASSEMBLY met at Edinburgh on the 29th of May; but there was no commissioner appeared to represent the king. The members elected James Bonar, minister of Monygaff, in the stewartry of Galloway, to be their moderator. The absence of the king's representative did not prevent the business from proceeding; and on the second session a letter was received "from the presbytery with the army in England," in which, after salutation, they say, the Lord "hath by his own power scattered before us the great *popish* army, and much diminished the number thereof, so that they do not now appear against us in the field The city of York, wherein a swarm of obstinate papists have taken sanctuary, is blocked up. Our souls abhor the treacherous attempts of our disnated countrymen that have endeavoured to make their native kingdom a seat of war, and our bowels within us are moved to think upon the main mischiefs, if not timeously prevented, that may follow upon the unnatural war there²." This letter is dated Middlethorpe, the 20th of May, and it shews the spirit of strong delusion which made them believe a lie; and it is to be observed that they call the members of the church of England, who were true to their sovereign, papists and Amorites, so as to alter the view of the war in the minds of the vulgar. To this letter the Assembly reply—"That sanctuary your enemies, and the enemies of your God hath taken, shall not save them there is a time for every purpose under heaven, and the cup of the *Amorites* must be filled; which being now full of every abomination, yea, of the blood of the *saints*, the cry whereof cannot but be heard in heaven and answered on earth, presageth no less to us, than that the Lord's time of his deliverance of his own, and destruction of his enemies, draweth near. These happy beginnings of the Lord's scattering our unnatural enemies in the north gives us confidence of his assistance in the midst of difficulties against these that assault us in the south. It is our part to blow he trumpet to give warning to the people, and to rouse them from that fearful condition which threateneth so much desertion. And to this end we have enjoined a solemn fast. that if

¹ Spalding's Troubles, ii. 190.

² Johnston's Collections, 212, 214.

the Lord please you may join with us there in that action. We have set down an order to be kept hereafter for sending ministers into the army¹."

A petition was received from "the distressed christians in the north of Ireland," craving them to continue to send two ministers quarterly to them, "to build up the tabernacle of David among them;" and complaining "of the odious aspersions of sedition, combination against the king, and overthrow of municipal laws, &c., wherewith the covenant was branded²." It does not appear that the Assembly returned any answer to this petition. The excommunications denounced by the commission against Montrose and the other loyalists were approved, and the presbyteries within whose bounds any of them resided were ordered to proceed against them with the highest censures. In particular an act was framed ordering the loyal Scottish noblemen, who had subscribed a declaration of adhesion to the king at Oxford, to be excommunicated, and not to be relaxed even in the last extremity. This declaration they declared "to be a perfidious band and an unnatural confederacy to bring this kirk and kingdom to confusion; and to be full of blasphemies against the Solemn League and Covenant of the three kingdoms, of vile aspersions of treason, rebellion, and sedition, most falsely and impudently imputed to the estates, and the most faithful loyal subjects of these kingdoms . . . and therefore gives power to the commissioners of this Assembly, appointed for the public affairs, to proceed against them to the sentence of excommunication, unless . . . and when the sentence shall be pronounced, discharges presbyteries or synods to relax any from the sentence, without the advice of the General Assembly, or their commissioners, *nisi in extremis*. And in respect of the atrocity of this fact, the Assembly, in all humility, do seriously recommend to the right honourable the estates of parliament to take such course, as the persons that shall be found guilty may be exemplarily punished according to the merit of so unnatural and impious an offence: and that some public note of ignominy be put upon the declaration and band itself³."

An act of excommunication was also passed against the northern loyalists, whom they denominate rebels and traitors, and *impious blasphemers of the covenant*, and they were not to be absolved *nisi in extremis*. Ministers were ordained to present all persons who were disaffected to the covenant, whom

¹ Johnston's Collection of Acts, 224, 226.

² Ibid. 214-217.

³ Ibid. 218-219.

they style *malignants*, to the presbyteries that they might be excommunicated, or at least compelled to do penance on the cutty stool¹. The Assembly also wrote a long Latin letter to their brethren in the Netherlands, thanking them for the supplies of ammunition that they had sent to the covenanters in Ireland, and the sympathy which they had expressed for their brethren here and in England². The Assembly received a letter from the Scottish commissioners at London, giving an account of the progress which the Westminster Assembly were making towards *uniformity* of religion with the Scottish kirks; and also one from the divines themselves, "pouring out their hearts into the Assembly's bosom with sorrow at the melancholy situation of that nation, gratefully acknowledging our sympathy with them, and fervently soliciting a continuation of the same³." After reconstructing the commission, and passing some other acts of no great importance, they appointed the next Assembly to meet on the last Thursday in May in the year 1645, at Edinburgh, and then dissolved the meeting on the 4th of June, and remitted all affairs to the commission, in which Argyle, the dictator, was a principal member.

IN CONSEQUENCE of Charles's unfortunate concession of perpetuity to the Long Parliament, he had no means of procuring one that would reconstruct the disjointed materials of the commonwealth; he therefore adopted the expedient of summoning the parliament to leave Westminster and to meet at Oxford, at the same time promising a free pardon to all of the Long Parliament who should come there. Many of the peers and a few of the commons obeyed the summons, assembled there, and made many specious promises and professions of loyalty. These composed and forwarded the letter, extracts from which have already been given, to the Scottish council and "conservators of the peace." Yet, says Guthry⁴, "it was publicly talked here [Edinburgh] that those who came to Oxford upon his majesty's summons meant not to be very faithful unto him, but rather (by that stratagem) to do those whom they had deserted at Westminster better service than they could have done being with them, by advising his majesty to courses which tended to his ruin. Whether there was a reason or not for this construction I leave undetermined; but certain it is, that as the leaving Westminster and coming thither procured them such trust, that his majesty was led by their counsels; so his

¹ Johnston's Collections, 220.

² Ibid. 139.

³ Ibid. 247.—Stevenson's Church and State, 524-25.—Spalding's Troubles, ii. 239-240.

⁴ Memoirs, 235-136.

affairs did thereafter more and more miscarry ; and his most secret projects came to be understood by his enemies. Whereof the most loyal and gallant Ruthven did often warn his majesty, but could not get it remedied."

ON THE 4TH OF JUNE, the convention, which the leading covenanters now turned into a parliament, sat down at Edinburgh, and it was opened by a sermon by Andrew Cant, minister of Aberdeen, from St. John v. 22, 23. The principal drift of his sermon was to state an opposition between king Jesus and king Charles, and on that account to press resistance to the latter for the interest of the former. This, says Mr. Skinner, "was preaching to the times without regard to the Scripture, and shews what sense these men had of the pretended oath in their covenant to defend the king's person¹." The earl of Lauderdale was elected president, but there was no representative of the king. On Friday, the 12th, a despatch was read from the earl of Lindsay, president of the committee of the army at York, to inform the house of the victory that the rebels had obtained over the king's forces at Marston-Moor in Yorkshire. He earnestly desired the parliament to give public thanks for the success which had attended the principles of the covenant ; and the house ordained this letter to be sent to the commission of the Assembly, and desired them to appoint a general thanksgiving. On the 18th of July, the earl of Lanerk, who had now openly joined the rebels, presented a petition against those friends of the king who still enjoyed public offices, as *usurpers*, against sir James Galloway for usurping the office of secretary, and against sir Robert Spottiswood, "now using the said office at court, ever since the petitioner's restraint at Oxford, at which time his majesty required the said signet from the petitioners, who delivered it to the lord Digby and sir Edward Nicholas. He desires the house to take to their consideration the deserved punishment of the two usurpers contrary to two acts of parliament ; and by that act they would declare his office and place of secretary to be free of any prejudice by the usurpation of these enemies to their country²." On the 22d of July an act of forfaultry was passed on the motion of the ungrateful lord Balmerino, against the earls of Crawford, Carnwath, Forthe, and lord Ythan, as "public enemies to their country, invaders of it, and for adjoining themselves and assisting the popish and malignant party." They were also declared to be "guilty of high treason and

¹ Skinner's Eccl. Hist. ii. 379.—Guthry's Memoirs, 137.

² Balfour's Annals, ii. 165-225.

punishable at the arbitrement of the parliament, which declared them "traitors to their religion and country, and perfidious breakers of their national covenant; and all their bands and heritages, goods moveable and immoveable, to be from henceforth forfeited and belong to the estates of the kingdom, to pay the public debts¹." This was the commencement of that method of making war maintain war which was reduced to a system by the revolutionary government of France. But the doctrine here propounded was an inversion of the general and natural order of nature; for as there can be no civil authority in the kingdom, but that which is derived from the crown, as its authority is derived from God, so there can be no treason against parliament, but only against the king, who represents God, who is the source of all power. Those who offend against the parliament are guilty of a breach of privilege, but not of treason; for the parliament cannot meet without the royal warrant, of the power of which in the case now before us, Charles had culpably suffered himself to be deprived by his senseless system of concession.

The parliament passed an act to discharge all ministers, as the titulars of benefices annexed to them, from exercising patronage; but transferred these rights to the presbytery. And the act of the Assembly which condemned the loyal band and declaration published at Oxford, and their excommunication of the loyal noblemen, was ratified, and a committee was appointed to devise and put some public mark of infamy on the band and declaration; and they voted all invaders of the country, that is, those who declared for the king, to be guilty of treason, and to suffer the highest pains of it. On the 27th of July, the act of the General Assembly, which required a mark of infamy to be put on the Oxford band and declaration, was ratified, and "ordained all the subscribers of that wicked and damnable piece to be persecuted as traitors to their country, by the committee of estates; and to the end that some mark of infamy may be put upon the said declaration, ordains the copy of the same to be burned by the hands of the hangman at the cross at Edinburgh." An act was also passed for "uplifting of pecuniary fines of whoremongers, drunkards, swearers, &c. to be applied to *pious uses*²." This source of revenue, instituted by the rigidly righteous professors of covenanting religion, reminds one of the book called "The Tax of the Apostolic Chancery," which contains the list of the prices at which the crimes of adultery, fornication, &c. may be allowed to be com-

¹ Balfour's Annals, ii. pp. 232, 235, 239.

² Ibid. ii. 230, 232, 236.

mitted or afterwards commuted, set forth by the pope's authority, and which is one of the sources of the papal revenue. Sin was, therefore, encouraged by the covenanters as well as by the pope in order to fill the public coffers.

On Monday, the 29th of July, the present parliament was declared "current," and therefore the house unanimously adjourned till the first Tuesday of January, without prejudice to the committee of estates to assemble the house earlier if they find reason for it. And in that spiritual delusion under which the whole country was labouring, "the lord chancellor closed up this session with a pretty and eloquent speech, rendering the Almighty most hearty thanks and honour for the peaceable meeting, and unanimity in the maintenance of his cause; entreating the whole estates of the kingdom to stand fast together for the maintenance of the truth, honour of the king, and well of his realms, now all in fire of combustion by the treacherous practices of papists, atheists, and *malignants*, [that is, churchmen and loyal subjects,] against religion, and the subject's liberty settled by law. He wished every one to fetch water with him to help to extinguish the fury of this flame, and not oil to nourish it; and, lastly, besought the great Creator of heaven and earth, who, according to the good pleasure of his will, did govern the actions of men, to preserve from danger the king's person, to establish peace and truth in all his dominions, and to remove the crying sins of the land, which was the cause of so heavy an indignation upon it!"¹

THE LORD HADDO, who was the ancestor of the present earl of Aberdeen, was arrested at Aberdeen, and sent, with his confidential servant, John Logie, to Edinburgh, where they were tried, by order of the parliament, on three counts: 1st, for having taken prisoners several influential Covenanters; 2d, for joining with the marquis of Huntly; and, 3d, for several other alleged crimes. For the first he justified himself, inasmuch as the parties "were avowed incendiaries against the king, factious and seditious persons; and, 2d, he was dutifully serving the king against his enemies. Lord Haddo and Logie were condemned to be beheaded; and, although the earl Marshall exerted himself much to save their lives, "he came no speed, *through the malice of the kirk*." They were brought to the scaffold at the cross of Edinburgh, and were tormented in their last moments by the fanatical ministers, who desired Haddo to confess his sins before God, and to trust in His mercy. He answered, that he humbly confessed he was a great sinner be-

¹ Balfour's Annals, ii. 245.

fore God, but hoped for salvation through Christ; on which one of the ministers proclaimed that he acknowledged his guilt of rising in arms against the country. But he answered, "Not so; I confessed myself a great sinner before God, but I never transgressed against the country, but only against such as were disloyal subjects to the king." "Then the whole of the *ministers* *railed* out pitifully against him, which he patiently beheld, and desired to be relaxed from excommunication." This had been forbidden, *nisi in extremis*, by the Assembly; but, after much consultation, "the ministers, with some little *grudge*, granted the same, and loosed him upon the scaffold from this sentence." A herald then proclaimed to the spectators, "1. The parliament has found thee, sir John Gordon, of Haddo, worthy of death, and thy head to be stricken from thy shoulders; and, 2d, declares thee a villain and traitor to the king and to the country, and therefore I here ryve [tear] thy arms in thy ain face." He commended his soul to God, and his six children to the king's protection, "for whose sake I die this day." He was "borne down by the ministers of Edinburgh, the marquis of Argyle, lord Balmerino, and the kirk, because he would not subscribe the covenant, but stoutly followed the king, and died a good protestant¹."

MEN NOW were publicly executed by the rebel committee of estates for their loyalty to the king; and, what shewed the cunning and hypocrisy of the times, in the name of the king!—Soon after the murder of Haddo, and his friend captain Logie, Mr. Maxwell, of Logan, in Dumfries-shire, was also beheaded at the cross of Edinburgh, for the crime of having befriended Montrose in his unfortunate diversion in favour of the king. The earl of Crawford was forfeited, and his title transferred to the earl of Lindsay; and generals Ruthven and King were also forfeited. These severities made the chivalrous adventures of Montrose, in disguise, through the covenanting counties, most alarming and dangerous, till he reached Tillibeltoun House, at the foot of the Grampian hills². It is lamentable to reflect on the misplaced affection which the king maintained to the last for the most genuine hypocrite of the times, the duke of Hamilton; and the prejudice which, up to the same point, had kept him from listening to the honest and patriotic advice of a man who shewed his loyalty and love of country by actions and

¹ Spalding's Troubles, ii. 250.

² Guthry's Memoirs.—Napier's Montrose and the Covenanters. As Montrose's gallant military exploits do not lie within the scope of this history, I beg to refer my readers to Mr. Napier's most interesting and minute biography of that noble and worthy confessor and sufferer for his sovereign.

not by words. Such terror did the name of the gallant Graham carry in it to Argyle and the other rebel chiefs, that large rewards were offered to any assassin who would undertake to dispatch him; and several infamous wretches were permitted to take commissions in his army for the facility it afforded of accomplishing their detestable design—"but providence disappointed that plot¹."

THE COMMISSION of Assembly excommunicated colonel Nathaniel Gordon, and appointed a fast to be observed throughout the kingdom, and in their armies both at home and in England, on the last *Sunday* of October, and the Wednesday following, for success against Montrose—the slowness of ongoing in the work of our reformation—the grievous sins of our army under the marquis of Argyle—the rupture betwixt the king and his subjects—some *miscontentment among the ministers themselves*—and the innocent blood and grievous oppression of the land. But, says honest Spalding, "there was no word of fasting and praying (as *most justly* we should) for inbringing of change and alteration both in church and policy against established law and the king's royal authority, and compelling him, by force of arms, to yield to our Scottish opinions²." This hypocritical fast was made the more joyful, by the news, received a little before, of the success of the rebels in the north of England, and the capture of Newcastle, in which were found the earl of Crawford, the lords Maxwell and Rae, Mr. Oglevie, of Powry, and Dr. Wishart, Montrose's biographer, who were all sent to Edinburgh, and lodged in the common jail. The presbyterian ministers urged the committee with great vehemence to behead Crawford immediately; but a plurality of voices carried his respite against the covenanted brethren, who, true to the covenant, were clamorous for his blood³.

THE GALLANTRY and successes of Montrose created a reaction in the minds of many of the ministers, and some who had been most fiery and zealous became lukewarm and indifferent. The commission were mightily alarmed at this defection amongst the brethren, and, in order to terrify others, they formally deposed MR. HALLIBURTON, minister of Perth, and Mr. Graham, of Auchterarder, for the crime of having conversed with Montrose. At the same time they again ordained a fast to be universally observed upon the first *Sunday* of January in the ensuing year. The commission also issued summonses to the several presbyteries to send representatives to Edinburgh to a

¹ Guthry's Memoirs, 132.

² Spalding's Troubles, ii. 279.

³ Guthry's Memoirs, 133.

General Assembly, which they appointed to meet on the 22d of January, concerning the state of the reformation.

THROUGHOUT ALL HISTORY we invariably find that rebellions and revolutions have been more frequently occasioned by the unreasonable licentiousness of the people than by the tyranny or mal-administration of the prince. And this is remarkably verified in the mild family of the Stuarts, but in particular in Charles I. He courted the presbyterians, indulged them in England, and established them in Scotland; and he conceded his whole power and prerogative to them, to conciliate and satisfy their jealousies; but they were never satisfied so long as the crown sat on his head, and his head on his shoulders. Out of a mistaken clemency, Charles suffered faction to grow and expand till it embraced the whole government, and really and truly exercised that tyranny over the people which they only pretended to be afraid that the king would practice. Concession was like the letting out of water; the more he conceded the higher the puritans and covenanters rose in their demands, and he went on still conceding, till at last they left him nothing farther to concede but his head. If princes would be taught by the errors of their predecessors, they could not adopt a precedent more pregnant with example than that of this mild and gentle prince; for he had no sooner conceded away his whole power to Argyle and the faction, against whose treachery his own father warned him, and had, as "a contented king left a contented people," than they used that power which they had wrung from him, and in his own name, too, against himself. Hypocrisy was one of the reigning sins of the time; and while the covenanters wielded the whole powers of the government against the king, they ever protested that it was to support his crown and dignity, and spoke the language of ultra-loyalty, and with the utmost effrontery even called God to witness the sincerity of their hearts and the falsehoods which they were constantly uttering.

Public men were guilty of betraying the king in secret whilst they pretended to serve him outwardly; and it was Charles's unfortunate disposition to shut his eyes to that treachery which was in every department of his government, and even in his household. None were more deeply implicated in the treachery and ingratitude of the time than the duke of Hamilton, and his brother the earl of Lanerk. Hamilton would be great, and was ambitious, but was deficient of that personal courage and ability which attend ambition, and consequently he allowed Argyle, the abler villain, to secure and enjoy the whole real power of the government, whilst he solaced himself with future

visions of royalty. It is instructive to observe the contrast betwixt the mild, conciliating, and conceding government of Charles, and the vigorous, severe, and grasping tyranny of the committee of estates ; the paternal government of the bishops, with the inquisitorial and arbitrary despotism of the commission of the Assembly. The commission of Assembly was erected for a political convenience, of which Argyle's name always appears as one of the members ; its adaptation to his purpose was admirable, for he could thereby wield the power of both the church and state. Whilst he exercised a tyrannical power over the people through the committee of estates, he backed all their temporal proceedings by the terrors, the pains, and the penalties of excommunication, through the commission, which were not to be relaxed, no not even in the hour of death.

It was the universal murmur in the beginning of Charles's reign that he attempted to impose the rites and ceremonies of the church of England upon the church of Scotland, and which was made the ostensible foundation of the rebellion ; but now, when the presbyterians had succeeded in fulfilling the vow of their covenant of extirpating the church, their very first effort was to force, *by the sword*, their covenant, their discipline, and their directory for worship, upon the kingdom of England. It was made the price of their military assistance. In a circular letter which the commission published, entitled "A necessary Warning to the Ministry of the Kirk of Scotland," the enemies of religion are declared to be "of three sorts,—papists, separatists, and *malignants*:" the latter was the appellation which was fixed upon the clergy and members of the episcopal church, and one of their popular authors says, "the crying sins of the land, which we should confess with sorrow before the Lord, are, that the graceless prelates and curates *are not hung up* before the sun ; and that men should be so godless as to assist the king in his distress, before he had satisfied the kirk by public penance, for opposing the work of God in the covenant."

Along with the establishment of presbytery and the covenant, irreverence for sacred things and subjects became extensively prevalent ; Spalding mentions several instances which occurred in Aberdeen alone. He relates that William Strachan, the new presbyterian minister there, demolished the high altar of the cathedral, and commenced the work with his own hand. Behind the high altar there was a very elegant carved woodwork, "curiously wrought of fine wainscot, so that within Scotland there was not a better wrought piece." The minister demolished this in order to erect with the materials "a

beastly loft ;" but the workmen refused to touch it till the minister had first began the demolition, " which he did, and then the work began." On an afternoon, during sermon, some children made a noise outside the church, when Cant sprung out of the pulpit and pursued them to some distance, and when he had dispersed them he returned and finished his sermon ; but the people " wondered at his light behaviour." The reverent posture of kneeling when receiving the holy communion was now set aside, and the people were made to sit at a table, and not to pray with the minister, " but all to be silent and dumb," nor the bread to be broken and distributed as formerly, " but baked in a round loaf like a trencher, then cut in long shieves [slices] hanging by a tack ; first the minister takes one shieve after a blessing, and breaks a piece and gives to him who is nearest, and he gives the shieve to his neighbour, who takes a piece and then gives it to his neighbour, while it be spent ; and then an elder gives another shieve where the first shieve left, and so forth. The like bread and service was never seen in Aberdeen before the coming of Andrew Cant to be their minister¹." This is the custom prevalent among presbyterians at present ; cups of wine pass from hand to hand, and when empty a lay-elder goes round with a flaggon and fills them up.

Spalding says, the people were " wearied,"—" grievously tormented,"—" vexed to the death with their continual fasts and thanksgivings." They commenced praying and preaching at nine in the morning, and continued without intermission till past seven in the evening, " under colour of zeal, which rather appeared a plain mockery of God ; . . . but no prayers to confound the armies raised against the king, but rather prayed for their good success."—" New income customs !" " Our ministers are become prideful, and great railers out of pulpit without respect of persons ; and so rigorous their discipline, that the people might not bear their prideful behaviour, and none durst find fault with their disorders. They praise God for the king's overthrow²." So hearty were the presbyterian brethren in the rebellion, that they warned their parishioners from their pulpits to join the Argyle faction, in full equipment for the field, under the highest pains both spiritual and temporal ; and Spalding says, it was " a note to be marked," that the pulpit, which he calls " the chair of verity, was now made a market-cross, and the preacher an officer for making of proclamations."

Along with the desecration of the sacred edifices, the presby-

¹ Spalding's Troubles, 106, 108, 158.

² Ibid. 244, 254, 282, 289.

terian party brought railing accusations and "cruel mockings" against the episcopal clergy, the great majority of whom, in the midland and northern parts of the kingdom, still retained their livings; and they always denominated them *malignants*, papists, Arminians, and Amorites, with whom they held neither communion nor fellowship, and openly asserted they were the children of the devil. The presbyterian ministers were always the foremost in recommending harsh, bloody, and hostile measures, and lent all the assistance which superstition could command to forward the collecting of men and munitions of war to the rebel cause. "How *untruly*," says the king, "I am charged with the first raising of an army, and beginning this civil war, the eyes that only pity me, and the loyal hearts that durst only pray for me at first, might witness, which yet appear not so many on my side, as there were men in arms enlisted against me. My unpreparedness for a war may well dishearten those that would help me: while it argues truly my unwillingness to fight, yet it testifies for me that I am set on the defensive part; having so little hopes or power to offend others, that I have none to defend myself, or to preserve what is mine own from their prereption. No man can doubt but they prevented me, in their purposes as well as their injuries, who are so much beforehand in their preparations against me, and surprisals of my strength. Such as are not for them, yet dare not be for me; so overawed is their loyalty by the others' numbers and terrors. I believe my innocency and unpreparedness to assert my rights and honour make me more guilty in their esteem, who would not so easily have declared war against me if I had first assaulted them. They knew my chiefest arms left me were those only which the ancient christians were wont to use against their persecutors—*prayers and tears*. These may serve a good man's turn, if not to conquer as a soldier, yet to suffer as a martyr¹."

¹ Eikon Basilike, i. 37, 38.

CHAPTER XX.

GENERAL ASSEMBLIES.

THE SOLEMN LEAGUE AND COVENANT, PRESBYTERY, AND THE GRAND
REBELLION.

1645.—Meeting of parliament—message from the commission.—A General Assembly.—Letter from the Scots commissioners at London.—The Directory.—Petition from the Assembly—solemn and seasonable warning—the observance of Christmas, &c. abolished.—A remonstrance to the king.—Directory ratified.—A remonstrance to parliament.—Forfeitures.—Montrose appears at the head of some troops, and is forfeited—his successes—appointed captain-general.—Battle of Philiphaugh—massacre of the prisoners.—Other executions.—Meeting at Perth—ministers petition for the execution of the prisoners.—Executions at Glasgow.—Meeting of parliament—petitions for more executions.—1646.—Several declared guilty of high treason.—Sir Robert Spottiswood.—Preaching to the times.—Lord Oglevie's escape.—Executions.—Mr. Murray and Sir R. Spottiswood beheaded—their speeches and behaviour on the scaffold.—Petitions for more blood.—Letter from the Westminster Assembly.—Oppression of parliament—their transactions.—Montrose escapes to Norway.—Meeting of Assembly—excommunications—corruptions in the kirk—the royalists threatened with kirk censures and civil penalties.—Letter from the London commissioners.—Assembly's letter to the lord mayor.—Ministers sent to the king at Newcastle.—Commission of the kirk excommunicates some royalists.—Negociations with the king, and the Long Parliament.—Sale of the king.—Revenues of the chapel-royal bestowed on Blair.—Meeting of parliament.—Hamilton's procrastination.—Seasonable and necessary warning.—Transactions of the Long Parliament.—1647.—The price paid, and the king delivered up.—The Scottish army retreat.—The act of a faction.—Eikon Basilike.—Purging the army.—Distribution of the blood-money.—The Gordons subdued—a massacre—and at Dunivieg.—John Nevay.—Cromwell seizes the king's person, and revolutionises the English government.—General Assembly—their brotherly exhortation to their English brethren—defection of the kirk—act against withdrawing from parish kirks—Confession of Faith approved of—fears from the independents—Erastianism—pastoral letter—acts of Assembly—its dissolution.—The royalists oppressed—lord Napier—executions—Huntly arrested.—1648.—The king imprisoned at the Isle of Wight—Eikon Basilike.—Loudon's speech before the committee.—The king's further concessions unsatisfactory to the kirk.—Commissioners from the Long Parliament.—Marshall preaches before the king.—Meeting of parliament—commission oppose the engagement—a sham duel—an oath—demands of the commission.—Mes-

senger from the queen.—Demands sent to the Long Parliament—objections of the commission—their petition to parliament—counter petitions—manifesto of the parliament.—THE ENGAGEMENT.—The act of POSTURE.—The commanders appointed.—Opposition to the engagement—the commissioner's remonstrance, counter declaration, and vindication.—Dispute with the parliament—petition—Argyle's opposition to the levies.—Riot in Edinburgh.—Measures of the commission.—The marquis of Huntly.—Presbyterians "draw to a head" at a communion—an action—the presbyterians defeated.

1645.—ON TUESDAY, the 7th of January, the parliament met in Edinburgh, and Robert Douglas preached from Isaiah iii. 10. There was no commissioner from the king, "whereof," says Spalding, "parliament did not care much;" but the earl of Lauderdale was elected president. Committees were appointed for raising troops; prosecuting the *malignants*, or loyalists, and levying money on their estates; for prosecuting the war both at home and in England; and other things connected with the usurped government. On the 10th, the commission of Assembly sent a message to the house, "to shew them that, according to that laudable custom, ever used heretofore in the kirk in keeping correspondence with the estates, they intended to proceed to the censures of the church against the public enemies of the church and kingdom, and that the church did seriously recommend to their lordships, to take order with such as walked up and down the street with remission, who had embred their hands in the blood of the people."

The last Assembly appointed that for this year to meet in May; but, as the plot was thickening, the commission, which now assumed the supreme government of the kirk, had summoned the members of Assembly to meet on the 23d of January, concurrent with the parliament. It seems the commission had applied to the king to appoint a commissioner; but he took no notice of their application, and Robert Douglas was elected moderator. Baillie, Gillespie, and Johnston, who, being now one of the judges, was called lord Warriston, had returned and brought a letter from the commissioners at London, dated Worcester-house, 6th January, in which they say, they "are not without the feeling of the distresses of our native country, and of the troubles of our dear brethren, especially that the hand of the Lord is stretched out against you, not only by invasion from without of the basest of the children of men, but also by the unnatural treachery of some within, who have dealt perfidiously in the covenant and cause of God . . . and

¹ Balfour's Annals, ii, 249.

we beseech the Lord to keep that kirk free of such sects, and monsters of opinions, as are daily set on foot and multiplied in this kingdom, through the want of that church-government by assemblies, which hath preserved us, and we hope shall cure them¹." They also presented the Directory for worship, drawn up by the Westminster assembly, and which the Scots assembly approved, and ordered to be put in execution; with an exception to the clause respecting the communicants sitting about the table, that it might not be thought a thing indifferent, but of force, and that they enjoined the communicants to divide the elements among themselves, and not to receive them from the hands of the minister. The commissioners likewise brought a letter from the Westminster divines, containing nothing of importance, only it innocently enough escapes them, that they "had spent diverse months in the search of the Scripture to find out the mind of Christ concerning a form of church-government, wherein we could not but expect the greatest difficulty²." It looks very unlike that wisdom from above, which ought to characterise ministers of religion, to knock down and extirpate the government which had uninterruptedly existed in England for nearly seventeen centuries before they had determined on one to substitute for it, and, after so many years, to be only now endeavouring "to find out the mind of Christ!"

The Assembly petitioned parliament "to proceed with some speedy course of justice against such persons as are known to have joined themselves either actually in arms, or who by their counsel, supplies and encouragements, have strengthened the hands of the bloody enemies, whereby a cause of the controversy shall be removed; the land cleansed of the blood that is shed therein; the cruel and crooked generation disheartened; the fainting hearts of the *godly* refreshed, and their feeble knees strengthened; and cheerfully and unanimously to resolve upon, and put in execution, all lawful and possible ways of speedy and active *pursuing and extirpating* these barbarous and unnatural enemies within the kingdom³." Thus the blood-thirsty disposition of these godly saints is seen in pleading for the course of justice—that is, the execution of the loyal adherents of the crown, whom they denominate *malignants* and enemies to the rebels. Modern covenanters are desirous that we should believe the word *extirpation* in the covenant means merely the convincing their adversaries by arguments; but the whole history of the times shews that it really meant

¹ Johnston's Collections, 249-251.² Ib. 251-255.³ Ib. 262-265.

the *bloody extinction by the sword*, not only of the prelates themselves, but of men of all ranks and conditions who were loyal to their sovereign, and faithful to God's holy church.

During their session, the Assembly issued "a solemn and seasonable warning" to all ranks of the people, as well as to the army, in which they make great protestations of their loyalty to the king; but the following c'auses will shew the hypocrisy and utter worthlessness of such pretensions. The successes of the king and of Montrose alarmed them, and they considered them as rods of affliction; and so they say, "that which the rod pointed at is not any guilt of rebellion or disloyalty in us, as the sons of Belial do slander and belie the solemn league and covenant of the three kingdoms, which we are so far from repenting of, that we cannot remember or mention it without great joy and thankfulness to God as that which hath drawn many blessings after it. . . . The danger [of our cause] is not less, but greater than before, and that from two sorts of enemies:—first, from open enemies; we mean those of the popish, prelatical, and malignant faction, who have displayed a banner against the Lord, and against his Christ, in all the three kingdoms, *being set on fire of hell*, and by the special inspiration of Satan, who is full of fury because he knows he hath but a short time to reign. The cockatrice, before hatched, is now broken forth into a viper. . . unless men will blot out of their hearts the love of religion and the cause of God, and cast off all care of their country, laws, liberties, and estates, yea, all affection to the preservation of themselves, their wives, children, and friends, and whatsoever is dearest to them under the sun, (all these being in danger of a present ruin and destruction,) they must now or never appear actively, each one stretching himself to, yea beyond his power. It is no time to dally, nor to go about the business by halves, nor by *almost*, but *altogether* zealous. *Cursed* be he who doeth the work of the Lord negligently, or dealeth falsely in the covenant of God! . . . Whoever he be that will not, according to public order and appointment, adventure his person, or send out those that are under his power, or pay the contributions imposed for the maintenance of the forces, must be taken for an enemy, *a malignant*, and a covenant-breaker, and so involved both into the displeasure of God and the censures of the kirk, and, no doubt, into civil punishments also, to be inflicted by the state¹."

On the 13th of February they made an act for "censuring

¹ Johnston's Collections, 271.284.

the observers of Yule-day [Christmas-day], and other superstitious days, especially if they be scholars;" in which it is ordained, "that whatsoever persons hereafter shall be found guilty of keeping the aforesaid superstitious days shall be proceeded against by kirk censures, and shall make public repentance thereof in the face of the congregation where the offence was committed . . . and because scholars and students give great scandal and offence in this, that they be *severely disciplined and chastised* therefor by their masters;" and the teachers were subjected to severe penalties and dismissal if they should encourage such superstition. A *fast* was ordained on Easter-day, at Aberdeen, and the houses searched by the lay-elders to see that no meat was cooked¹.

THE ASSEMBLY renewed the commission, in which Argyle's name is the first among the lay-elders, and "gave them full power and commission to do all and every thing for prosecuting, advancing, perfecting, and bringing the said work of uniformity in religion, in all his majesty's dominions, to a happy conclusion." The answer to the letter of the Westminster Assembly contains nothing but the usual cant about that uniformity which they were so forward in forcing upon the realm of England. Considering the delusion under which the minds of the godly ministers then laboured, and the hypocrisy which actuated all their councils and actions, it is not surprising to find the Assembly addressing a "humble remonstrance" to the king, in which, at the very moment when the ministers were reading proclamations from their pulpits ordaining a conscription of the *eighth* man to serve in the war against him, they protested their "loyalty and faithful submission," and that it was "far from their intentions to diminish his majesty's power and greatness." In the following passage their insolence was equal to their impudence:—"We make bold to warn your majesty, that the guilt which cleaveth fast to your majesty, and to your throne, is such as (. . . .) if not timely repented, cannot but involve yourself and your posterity under the wrath of the ever-living God; for your being guilty of the shedding of the blood of many thousands of your majesty's best subjects; for your permitting the mass, and other idolatry, both in your own family, and in your dominions. . . . For all which it is high time for your majesty to fall down . . . to make your peace with God . . . and to be no longer *unwilling* that the Son of God *reign over you and your kingdoms*, in his pure ordinances of church government and worship²." This was cer-

¹ Johnston's Collections, 285.—Spalding, ii. 311.

² Ibid. 293.

tainly a piece of as modest assurance as could have been put forward; and which meant, in other words, to submit to the sovereignty of the General Assembly, and their commission which they called the reign of king Jesus.

On the 4th of February, the moderator of the Assembly and six ministers appeared at the bar of the parliament, and presented the Directory for worship, and which was ratified at once; and, on the 10th, the Assembly presented a remonstrance to the house respecting the *execution of justice* on delinquents and *malignants*; and a general fast to be kept through the kingdom for a speedy course to be taken against the *rebels*, that is, the king's loyal subjects. The warning above named was presented by the Assembly, but, as it was first cast, there were so many harsh expressions in it that it was remitted back for revision; when thus amended, it was ratified and printed.

On the 25th February the house declared the loyal earl of Carnwath guilty of treason, and ordained him to be hanged, drawn, and quartered, for his loyalty and fidelity to his sovereign; and further they added, "whosoever shall kill him, declares him to have done good service to his country!"¹ We know of no British king or lawful parliament who ever made such an unchristian ordinance; yet these men made the most deafening clamour against Charles's tyranny, and the never-ceasing protestations of their own devotion to civil and religious liberty. During the sitting of this session of parliament the earl of Lauderdale, the president, died, and the earl of Crawford-Lindsay was chosen in his place. Parliament also ordained, that the lands and hereditaments of the royalists should be sold at ten years' purchase, and engaged the public faith to guarantee the purchasers, and for their personal protection. Yet all this injustice and oppression were done in the name of the king, and on his most faithful and devoted friends! The earls of Montrose, Huntly, Carnwath, and Traquair, were forfeited, and a commission appointed to collect the rents of their estates. The earl of Crawford, with generals Ruthven and King, three of the king's most loyal supporters, without any citation, were forfeited at the cross, and the loyal earl of Crawford's title was bestowed on the rebel earl of Lindsay, who was also made lord high-treasurer². "These," says Mr. Skinner, "were bold encroachments on the royal prerogatives of the crown, as well as impolitic strokes of wanton cruelty while the event of the contention was uncertain. But they were encour-

¹ Balfour's Annals, iii. pp. 267, 269, 273, 283.

² Stevenson's Church and State, 529-30.

raged to both by the success of the covenanted troops against the king's forces at Marston-moor, near York, on the 3d of July. This was the first and most severe blow that the king's affairs had met with in the north; and it was succeeded by a train of misfortunes, till the fatal shock at Naseby on the 14th June next year, which he never recovered¹."

Both the sword and the pestilence were now walking through the land, in the broad noon-day, hand in hand, which caused the parliament to be adjourned to Stirling, where it met on the 8th of July; and from thence again to Perth on the 24th, where "little thing was done but arraying and mustering of men and horse, till Wednesday, the 30th of July." The following day the commission of Assembly presented to the house a warning respecting the reigning sins of the land; but, with that delusion which believed a lie, they ascribed the whole guilt of the times to the king and his loyal adherents, and never thought of plucking the beam out of their own eye. The principal object for this meeting was to raise forces and procure supplies to prosecute the rebellion, and oppose the gallant Montrose, who had been carrying all before him in the field².

After the defeat of the royal troops at Marston-Moor, the marquis of Montrose appeared in Scotland with the king's commission, where he collected some undisciplined troops and received a small reinforcement from Ireland. He defeated the rebels at Tippermuir, near Perth, on the 1st of September, 1644, and again on the 12th, at Aberdeen; on which the committee of estates forfeited him, seized on his property, and arrested all those whom they suspected of malignancy or loyalty. He was no longer called marquis of Montrose by the rebel committee, but the "traitor James Graham." On the 2d of February of this year he defeated Argyle himself at Inverlochy; and on the 4th of May he gained a complete victory over general Hurry at Auldearn. At Alford, on the 2d of July, he routed general Baillie; but sustained an irreparable loss by the death of lord Gordon. These successes alarmed the committee; and their auxiliaries in the commission issued a manifesto, warning all ranks to "mind their covenants, and to pay their vows and taxes and public burthens for conscience sake, that the enemy who had displayed a banner against the Lord and against his Christ might be suppressed³." Montrose and the rebels again met at Kilsyth, when he gave them another defeat, with the loss to the rebels of seven

¹ Ecclesiastical Hist. ii. 380.

² Balfour's Annals, iii.

³ Skinner's Eccles. Hist. ii. 383-84.—Napier's Montrose, ii.

thousand men, which laid open the capital, and dispersed their leaders.

Soon after this sanguinary battle, sir Robert Spottiswood arrived as secretary of state for Scotland, and brought with him from the king a new and more ample commission to Montrose, of captain-general and lieutenant-governor of Scotland, with power to summon a parliament and to confer the honour of knighthood. He knighted the brave Alister Macdonald, but who afterwards deserted the royal standard at the critical moment when the services of himself and his followers were most wanted. Montrose summoned a parliament to meet on the 20th of October, at Glasgow; but, from the desertion of the royal standard by the Gordons and others, and the defeat of the royal army, it never did meet¹; but it was too late, however, to recover the power he had madly conceded of calling a parliament, and choosing his own ministers.

The danger to the insurgent government was now extreme; and therefore the committee recalled general David Leslie, with the division under his command, from England, and who arrived at Selkirk in the beginning of September. Montrose had marched southward to Philipshaugh, about three miles north-westward from that town, and where he was deserted by the lord Aboyne with the Gordons, and most of his cavalry. Traquair also kept communication with Leslie, and on the morning of the battle withdrew his son with his contingent; so that only a forlorn hope remained with the lieutenant-governor to meet a powerful and well-disciplined army, commanded by an experienced general. Here Montrose was defeated on the 13th of September, after performing prodigies of valour; his men being dispersed, he cut his way through the surrounding rebels, and made his retreat at the head of about a hundred and fifty horsemen. The infantry defended themselves with desperate valour, till the adjutant Stuart procured quarter for them from the victors, when they laid down their arms, and were marched into "a plain field²." And here the fruits of the covenant appeared in full blossom. The presbyterian ministers, of whom a complete presbytery always accompanied the rebel army, shewed the really persecuting spirit of their covenant obligations, and their thirst for the blood of *malignants*. "Meanwhile the kirk-militant triumphed. Cruel as David Leslie was in his own nature, lawless and reckless of human life and liberty as was the covenanting parliament, the results of Montrose's defeat derived their fiendish characteristics from

¹ Napier's Montrose, ii. *passim*.

² Guthrie's Memoirs, 161, 162.

neither, but from Argyle, the king of the kirk, Archibald Johnston, its minion, and the *dominant clergy* themselves. Comparatively few fell in the fight at Philipshaugh, and scarcely any in the flight. The principal slaughter was of defenceless and unresisting prisoners after quarter asked and given. The main body of the Irish had betaken themselves to an enclosure on an eminence, which, says bishop Guthry, 'they maintained until Stuart, the adjutant, being amongst them, procured quarter for them from David Leslie; whereupon they delivered up their arms and came forth to a plain field as they were directed. But then did the churchmen quarrel [complain] that quarter should be given to such wretches as they, and declared it to be an act of most sinful impiety to spare them, wherein divers of the noblemen complied with the clergy; and so they found out a distinction whereby to bring David Leslie fairly off, and this it was, that quarter was only meant to Stuart the adjutant himself, but not to his company. After which, having delivered the adjutant to Middleton to be his prisoner, the army was let loose upon them, and *cut them all to pieces*.' The picture is awfully darkened by the fact, that, from the Bible itself, these *ministers of blood* enforced such scenes. 'Thine eye shalt not pity, and thou shalt not spare'—and 'what meaneth, then, this bleating of the sheep in mine ears, and the lowing of the oxen?'—were the sacred texts by which, upon this and some other occasions, they diverted from defenceless prisoners the rude mercies of soldiers weary of blood¹."

In this bloody scene, as in many other points, there are the most exact resemblances betwixt popery and presbytery; but as the one is the child of the other, and both labour under a strong delusion to believe a lie, it is not surprising that the mystery of iniquity should have united the two in producing the covenant; and that blood, rebellion, lying wonders, with all deceivableness of unrighteousness, should be the fruits of such a parentage and such a progeny. The inhuman massacre of these men, who had surrendered on the promise, implied under quarter, of their lives, is a disgrace to the general who could allow such a sinful casuistry to weigh with him; but still more to the ministers and the religion which could solicit and countenance such antichristian butchery. But this was not all; for some days afterwards, when the heat and violence of battle was cooled down, the camp followers, wives, and children of the loyal army, to the amount of eighty persons, were drowned

¹ Napier's Montrose and the Covenanters, ii. 473-74.

in cold blood !¹ "This defeat of Montrose at Philipshaugh," says Mr. Guthrie, "fully manifested that the executive part of the Scotch government was *entirely directed by the preachers*. They quoted Scripture to authorise the most unheard of inhumanities. Such of the royalists as were taken in the pursuit were either butchered or drowned in the Tweed. Mothers with their sucking infants, and women with child, underwent the same fate; the banks of the river being lined with soldiers who knocked all on the head with clubs who endeavoured to save themselves and there was no species of cruelty unpractised by the party²."

The laird of Hartfell, the lords Drummond and Oglevie, sir Robert Spottiswood, sir Alexander Leslie, sir William Rollock, sir Philip Nesbit, William Murray, brother to the earl of Tullibardine, Alexander Oglevie, younger, of Innerquharity, colonel Nathaniel Gordon, Mr. Andrew Guthrie, son of the bishop of Moray, colonel O'Ryan, and major Lachlin, were taken prisoners. The two last, who were loyal Irish gentlemen, were promised quarter along with their countrymen who had been massacred; but they were reserved from the general massacre for an ignominious death on the gallows. They were hanged on the Castle hill at Edinburgh; and the commission of the kirk urgently pressed the committee of estates to sacrifice the other prisoners as a peace-offering to the covenant, and because God required their blood. Leslie marched his army northward to the county of Forfar, in order to crush Montrose, whose indomitable spirit was not subdued by his late defeat; and while he was alive the royalists did not consider the king's cause to be desperate.

The conjunct spiritual and the temporal powers, the committee of estates, and the commission of the kirk, severally sat down at Perth, and the commission, "being proud of the late victory, was more violent than formerly." Their first business was to take order with the clergy, and such of the presbyterian ministers as had not mourned for Montrose's victory at Kilsyth. They examined every one whom they considered either disaffected to their government or were *malignants*; and to this end they received abundance of evidence from "sycophants, who well enough understood that cruelty was the only way to procure respect" from the commission of the kirk. These "sycophants" gave information on oath against many learned and pious clergymen, and even many of the soberer of the pres-

¹ Wishart's *Life of Montrose*, cited by Napier.

² Guthrie's *General History*, ix. 404.

byterian ministers, who, "in that hour of darkness," as they called it, had given proofs of malignancy, by not cursing Montrose and lamenting the success of the royal cause. This was considered a sufficient ground, without any further inquiry, for commencing a process for deposition. The next consideration of the commission was, "the disposition of men's heads." Mr. William Burnet, in the absence of Robert Douglas, the moderator, was sent to propose the execution of the prisoners. Although they pressed the lords of the committee very urgently, yet the peers were rather backward, fearing lest the royalists might retaliate; and the ministers' overture would have been rejected, had not the lord Tullibardine risen and spoken to this effect—"That because he had a brother among those men it might be that their lordships so valued his concurrence with them in the *good cause*, that for respect of him they were the more loath to resolve upon the question. But that as for himself, since that young man had joined with that wicked crew, he did not esteem him his brother, and therefore declared, that he would take it for no favour if upon that account any indulgence were granted him¹!" This unnatural and truly malignant speech made the committee change their minds, and the prisoners were devoted to death.

Both the committee and the commission removed to Glasgow with some troops in order to prevent the parliament from assembling, which had been summoned by Montrose; and there, on the 28th of October, they hanged sir William Rollock, sir Philip Nesbit, and a gallant youth, Alexander Oglevie, of Innerquharity, scarcely eighteen years of age, and who had but lately returned from a foreign seminary. "Upon that occasion," says Mr. Guthry, "it was that Mr. David Dick" (a presbyterian minister,) "said,—*'the work goes bonnily on;'* which passed afterwards into a proverb²."

The parliament met according to adjournment at St. Andrews, on the 26th of November; and on the 5th of December a remonstrance from the commission of the kirk, which ever was in close attendance on the government, was presented "for justice upon delinquents and *malignants* who have shed the blood of their brethren." Four petitions and remonstrances also for justice to be executed on *malignants* was presented from the synods of Fife, Dumfries, Merse, Teviotdale, and Galloway. To all of which the president said—"the parliament took their modest petitions and seasonable remonstrances very kindly, and rendered them hearty thanks, and willed them to be

¹ Guthry's Memoirs, 163, 164, 165.

² Ibid. 166.

confident that with all alacrity and diligence they would go about and proceed in answering the expectation of all their reasonable desires, as they might themselves perceive in their procedure hitherto; and withal he entreated them in the name of the house that they would be earnest with God, to implore and beg his blessing to assist and encourage them to the performance of what they demanded." On the 23d of December, the lord chancellor entreated the estates to do justice impartially on those delinquents who were then their prisoners; and the house ordained the Irish prisoners taken at and after Philipshaugh, in all the prisons of the kingdom, to be *executed without any assize or process*, in conformity with the treaty betwixt the two parliaments. On the 27th the prisoners were ordered to be more strictly guarded, and none of their friends to be admitted to see them¹. Had the bishops or their clergy pursued their political enemies with such unrelenting malignity and blood-thirsty cruelty, or had the king executed justice on the rebels with a tithe of the implacable severity with which the commission of the kirk and the committee of estates visited his faithful friends in the performance of their bounden duty, we should never have heard the end of their clamouring about political parsons and tyrannical kings. But, the beam being still in their own eye, a set of presbyterian ministers entirely neglected their parochial duties to form a part of, or rather to govern, the secular government, and, in conjunction with the rebel committee, destroyed and *extirpated* the king's strengths and friends, and while they were loud in their professions of loyalty, they were dooming his most loyal friends to death out of pure love for his service! It is to be well noted that this extirpation proceeded in some cases as much for the gratification of private revenge and family feuds, as from any sense of justice or the necessity for so much severity.

1646.—A committee of process having found lord Oglevie, colonel Nathaniel Gordon, the honourable William Murray, and captain Guthrie, guilty of high treason against *the state*, the parliament condemned them to forfeit life, lands, and goods, and their heads to be stricken off their shoulders at the market-cross of St. Andrews. The earl of Tullibardine took care to be absent when his brother William Murray's sentence was pronounced; he was therefore guilty of his blood, for he had devoted him to the tender mercies of the convention. Sir Robert Spottiswood was also found guilty of high treason against the state, and was forfeited with the loss of life, lands, and goods,

¹ Balfour's Annals, iii. 324, 340-41, 344.

heritable and moveable. "This report by the house was found bimembrous. The punishment of the first was found after debate to be arbitrary to the parliament, which was his advising, docqueting, signating, carrying, and delivering, yea, and persecuting [query, presenting] James Graham's [the marquis of Montrose's] commission against his native country; the punishment of which offence being, after much debate, put to the voices of the house, it was voted capital, and he for the same judged to lose his head. The second member of his dittay proven, was his being taken in arms against the country at Philipshaugh, voted for the same to be forfeited, his goods and lands to belong to the public; and for the two foresaid faults his head to be stricken off his shoulders, at the market-cross of St. Andrews¹."

The people were shocked at the bloody fruits of the covenant, and murmured as loud as they dared, and therefore the parliament ordered Blair, one of its high priests, to "preach to the times." He accordingly declared from the pulpit that God would not be pacified, nor the sins of the nation expiated, unless the blood of these men flowed on the scaffold! Oglevie and Hartfell made their escape before the day of execution arrived. Argyle thirsted for the blood of Oglevie; but the rival faction of the Hamiltons were inclined to have saved him. On pretext of illness lady Oglevie's mother and his sister were permitted to visit him, when he dressed himself in his sister's clothes, and escaped when the others retired; and it took the whole power of the Hamilton faction to save these ladies from Argyle's vengeance. On the other hand, the Hamiltons had a grudge at Hartfell, and were desirous of his death; to spite them, therefore, Argyle procured his pardon². The first sufferers were colonel Gordon and captain Guthrie, son of the venerable bishop of Moray; the first had never swerved from his loyalty, and sir Walter Scott has pronounced him "one of the bravest men and best soldiers in Europe;" the latter said on the scaffold that "he reckoned it the greatest honour he could receive to suffer death in behalf of so good a king, and in defence of so just a cause. For his sins he humbly begged mercy and forgiveness at the hand of God; but with respect to that crime for which he stood condemned, he felt no apprehensions." They were beheaded, and two days afterwards William Murray was brought to the same place, having been respited for two days on a plea of insanity, which his brother

¹ Balfour's Annals, iii. 358-361.

² Napier's Montrose and the Covenanters, ii. 487.

Tullibardine at last advanced under pretence of saving him. When this noble youth, who was only nineteen years of age, came to the scaffold, he addressed the spectators, and in the conclusion said—"I trust, my countrymen, you will now consider that the house of Tullibardine and the family of Murray are more honoured than disgraced this day. It adds honour to an ancient race, that its scion, without a stain on his character, in the prime of his youth, should readily and cheerfully render up his life for the sake of such a king, the father of his people, and the munificent patron of my family in particular. Let not my venerated mother, nor my dearest sisters, nor my kindred and friends, weep for the untimely end of one whom death thus honours. Pray for me, and fare ye well¹." This gallant youth suffered death with the greatest magnanimity and composure.

Their chief victim was sir Robert Spottiswood, the son of the late archbishop, whose crimes we have seen by the vote of parliament to have been, fidelity to his sovereign and accepting office from the king, after his majesty, who now saw his error, and tried to recover his power, by his criminal concessions had given the whole power of appointing the officers of state to the parliament. "When he was brought to the scaffold, he appeared with the same gravity and majesty which was familiar to him, and turned with great composure to speak to the people; but Blair, the minister, who officiously attended him on the scaffold, being afraid lest he might lay open the secrets of the rebellion, and that the firm and steady behaviour, and the eloquence and gravity of the last dying words of so great a man, might leave a deep impression on the minds of the hearers, caused the provost of the town, who had formerly been a servant of sir Robert's father, to impose silence on him. This unmannerly interruption gave him no disturbance; only, instead of addressing himself to the people, he turned his thoughts entirely to his private devotions. And in these also he was again most impertinently and rudely interrupted by Blair, who asked him whether he would incline that he and the people should pray for the salvation of his soul? To which he answered, that 'he desired the prayers of the people, but would have no concern with *his* prayers, which he believed were impious, and an abomination to God; adding that, of all the plagues with which the offended majesty of God had scourged this nation, this was certainly the greatest,—greater than even the sword, fire, and pestilence,—that for

¹ Guthry's Memoirs.—Napier's Montrose.

the sins of the people, *God had sent a lying spirit into the mouths of the prophets.*' Blair was touched to the quick with this severe but just reproach, and fell into such a passion that he could not refrain from throwing out the most scandalous and contumelious reflections not only against sir Robert's father, who had been long dead, but against himself who was just about to die; thereby approving himself a worthy preacher of christian patience and long-suffering! But sir Robert having his mind intent upon higher matters, took no notice of them, and bore them with the greatest meekness and resignation. At last, with an undaunted air, and shewing no alteration either in voice or countenance, he submitted his neck to the fatal stroke, and uttered these his last words—"Merciful Jesus! gather my soul unto thy saints and martyrs who have run before me in this race." And certainly, seeing martyrdom may be undergone not only for the confession of our faith, but for any virtue by which holy men manifest their faith to the world, there is no doubt but he hath received that crown.

"Such was the fatal end of this great man—highly honourable indeed to himself, but extremely lamented by all good men. He was remarkable for his deep knowledge of things both divine and human; for his skill in the Hebrew, Chaldaic, Syriac, and Arabic, besides the western languages, and an intimate acquaintance with history, law, and politics. He was the honour and ornament of his country and the age for the integrity of his life, for his fidelity, for his justice, and for his constancy. He was a man of an even temper, ever consistent with himself; so that his youth had no need to be ashamed of his childhood, nor his more advanced years of his youth. He was a strict observer of the ancient worship, and yet not a vain and superstitious professor of it before the world; a man easy to be made a friend, but very hard to be made an enemy; insomuch that after his death he was exceedingly regretted even by many of the covenanters. His lifeless body was taken care of by Hugh Scrimgeour, an old servant of his father, and buried privately; nor did he long survive the doleful office, for, not many days after, seeing the bloody scaffold upon which sir Robert suffered not yet removed out of the place, he immediately fell into a swoon, and being carried home by his servants and neighbours, died at his own threshold¹."

Bishop Wishart's *Life of Montrose*, cited in the *Life of sir R. Spottiswood*, prefixed to his works, and by the Rev. C. J. Lyon, in *Episcopal Magazine*, vol. ii. for 1840, pp. 572, 573.

THE COMMISSION of the Assembly urgently pressed the parliament that more blood might be shed on the scaffold, which was refused by the peers ; but instead, the brethren were requested to suggest in what way the other *malignants* might be punished short of their lives. This subject was fiercely debated in the commission ; at last David Dick's opinion was adopted, who recommended the parliament "to *shame them and herry*¹ them," which means to put some public mark of ignominy on them, and that their estates, goods, and gear, should be forfeited for the public service. Accordingly the parliament appointed a great committee to sit after it rose, at Linlithgow, upon February the 25th, and referred the rest of the prisoners to it to be deeply fined².

On the 31st January the commission received a copy of a letter from the Westminster Assembly to the parliament, shewing their state and posture, and of their endeavours to suppress heresies and schisms, and their efforts for the establishment of presbyterial government. After it had been read, the house ordained a letter of encouragement to be written in the name of the parliament, to be signed by the president, to the assembly of divines, giving them thanks for what they have done for the settlement of presbytery and the covenant, and willing them not to faint, but to proceed cheerfully in such a good and pious work. On the 2d of February an act was passed, "that no books of divinity be printed or reprinted concerning church affairs, without the warrant of the General Assembly, or the commissioners of the kirk, read, voted, and passed³." These are some of the natural fruits of the covenant, which are, perhaps, better evidences of its diabolical malignancy than all the harsh comments that its enemies can justly make on it ; and it must have supremely delighted its real authors, the worshipful company of jesuits, to see how well it worked for their purposes and objects. In an epistle from a member of this diabolical society, the author congratulates his pupils on the readiness with which they had adopted and improved on their teaching : "The church of God," says he, "hath suffered too much already in the primitive times—she hath been too long in the category of passion, crying with tears, *oramus non pugnamus* ; she ought *now* to be in the predicament of *action*, with *pugnamus et oramus*, holding (that I may use your own words) 'a *supplication in one hand and a sword in the other*.'" To this

¹ To herry is utterly to spoil and waste, and is used by boys when they rob a bird's nest of its eggs or young—to herry a nest—a significant expression.

² Guthry's Memoirs, 169.

³ Balfour's Annals, iii. 367-9.

purpose Master Andrew Ramsay, minister of Edinburgh, said pretty well, 'that it was God's will that the primitive church should confirm the truth by *suffering*; that that now, the truth being confirmed, it is his will that we defend the truth by *action*, in resisting tyrants;' and what war is better than that which is for religion¹?"

AMONG MANY other acts of this so-called parliament, there was one for calling out *every fourth* man capable of bearing arms; another, imposing a fine of £100 Scots on all those who concealed deserters from the parliamentary army, and enabling military officers to prosecute the parties and to collect the fines; an act for printing and publishing a declaration of the commission of the kirk, inciting all ranks to a dutiful improvement of the present dispensations of judgment and mercy; an act classing delinquents into three sorts—1st, those who were personally assisting to Montrose at Philipshaugh, or elsewhere; 2d, those who put out horse or foot, or furnished arms or ammunition, for his assistance; and, 3d, those who voluntarily, and without inevitable necessity, intercommuned with him, with a power to the parliament, or their committee, to fine them in proportion to the degree of their offence; for assessing the counties in £90,000, and the boroughs in £18,000 Scots, monthly, for eight months, for supplying the army employed in suppressing Montrose and the other *rebels*, as they called the king's loyal subjects; and an act declaring that presbyteries have the whole power of settling parishes, where the patron hath either *not* sworn the covenant, or is excommunicate².

The Long Parliament had now reduced the king to such a position that they could do without the assistance of their Scottish auxiliaries; they sent therefore a statement of the money which had been advanced, and said they now considered their whole pecuniary engagement was completed. One of the items of the account was the sum of £80,000 for the article of *cabbage* alone which the Scottish army had devoured! "Hereby," says Guthry, "our great men saw how they were *slighted* by the English, and that they meant to give them no more money, which afflicted them much; for the generality of the kingdom *being already royalists in heart*, although they were so kept under that they durst not profess it, they considered that when the army was come home, if they had no money to bribe them to constancy in the cause, they would all turn for the

¹ The Epistle Congratulatorie of Lysimachus Nicanor, of the Society of Jesu, to the Covenanters in Scotland; wherein is paralleled our sweet Harmony and Correspondence in diverse material, points of Doctrine and Practice. A. D. 1640.

² Balfour's Annals, *passim*.—Stevenson's Church and State, 543.

king, which would be their undoing¹." In this perplexity, Argyle and the committee of estates hit upon a device to draw more of the root of all evil, money, out of the Long Parliament, which was to endeavour to get the king into their hands, as he was now reduced to that state of desperation that he must throw himself into the power of one or the other of the parties. Therefore the chancellor, Loudon, the ungrateful Balmerino, and the traitor Warriston, were despatched to London, to join with Lauderdale, and the other commissioners already there, for advancing that design. Argyle went to Ireland, and brought home the division of the Scottish army which was there. The committee of estates and the commission of the kirk ordered general Middleton northward to crush Montrose, who was endeavouring to convince the jealous and impracticable marquis of Huntly, that it was not the redness of his blood nor the rank of his house, but duty to his king, that required his active co-operation. Montrose could not overcome that morbid jealousy in Huntly, which arose from his capture and ill treatment by that nobleman when he was the king's rebel, and which Huntly never forgave; whereupon he went to Ross-shire, and succeeded in drawing the earl of Seaforth and several chiefs into a bond of confederation for the king's service. Middleton attacked Montrose's castle of Kincarn, in which he found a garrison of sixty-seven persons; thirty-five of whom were sent prisoners to Edinburgh, and thirty-two were shot at a post, and the castle burnt to the ground.

A copy of Montrose's bond of confederation having found its way to Edinburgh, the committee and the commission took each their own method simultaneously of dealing with it. Its *malignity*—that is, its loyalty—was immediately perceptible, and was so declared by the commission, and proclaimed to be high treason by the committee. The former sent a peremptory command to the different presbyteries, to read their declaration respecting its malignancy out of every pulpit, and to comment upon it in the way most consistent with the views of the commission. The association was soon dissolved, and Montrose himself, with some difficulty, escaped to Norway; while the members, in the greatest consternation, made their submission to the commission of the kirk, lest they might be excommunicated, and so lose their property, and offered to do public penance in the most humiliating state they should prescribe. Balmerino returned from London on the 2d of May, and reported to the committee and to the commission the dexterity with which

¹ *Memoirs*, 170.

they had managed the negociation, and prophesied that the king would be very soon in the Scottish camp; which proved true, for the next despatches informed them that the king was their prisoner¹. In the meantime the commission kept up a system of terror upon the episcopal clergy, and even upon their own moderate brethren; and, in order to strike terror into others, they summoned, on the 17th May, Dr. Strange, Mr. Edward Wright, and William Wilkie, "whom they used very roughly."

THE GENERAL ASSEMBLY met at Edinburgh on the 3d of June, which day was held as a fast; and they elected Robert Blair, the minister of St. Andrews, to be their moderator. There was no royal commissioner; but Mr. Douglas presented a letter from the king, dated Newcastle, the 28th of May, and addressed "to our right trusty and well-beloved the moderator and other members of the General Assembly of the kirk of our kingdom of Scotland." It is very short, but has all the appearance of having been written under the influence of the party in whose hands he was then a prisoner. The first act of this Assembly related to that sin which has ever been the distinguishing characteristic of presbytery; and such married parties as had been previously guilty of fornication were ordained to satisfy the kirk by standing on the cutty-stool. On the 13th June an act was passed, ordaining George, earl of Seaforth, to be excommunicated, on account of his adherence "to that perfidious band made and contrived lately in the north against our National Covenant, and the League and Covenant of the three kingdoms; which tendeth to the making of division and fomenting of jealousy within this realm, and between both kingdoms, to the prolonging of these unnatural wars, to the impeding of the intended *uniformity* in religion, and to the subversion of all the happy ends of our covenants. . . . And having also considered another wicked and treacherous band of union which the earl formerly went into with that excommunicate *rebel* James Graham, [marquis of Montrose,] after the sentence of forfeiture and the dreadful sentence of excommunication were pronounced against him, obliging himself therein, under solemn oaths, to join with that forfeitured *rebel against this kirk and kingdom*, and to oppose all their public resolutions for pursuance of the happy ends of our covenants. . . . Therefore the Assembly, moved with the zeal of God, do, without a contrary voice, decern and ordain the said George, earl of Seaforth, to be summarily excommunicate, and declared to be one whom Christ commandeth to be holden by all and

¹ Vide post, chapter xxii.

every one of the faithful as an ethnic and publican, and appoint the sentence of excommunication to be pronounced by Master Robert Blair, moderator, in the east kirk of this city, upon the next Lord's day, being the 14th of this month¹."

It is a curious and humiliating fact, that in all periods of her history, when, after violent agitation, and the casting up of that mire and dirt which is natural to her desolating revolt, her warmest advocates have ever complained of the backslidings and defections of the kirk, even now in the "high noon" of her reformation, when, as Kirkton says, she was as "a heap of wheat set about with lilies, uniform, or a palace of silver beautifully proportioned, and in her high noon," yet even in this noon-tide of her glory the Assembly presented and bewailed the following list of "enormities and corruptions observed to be in the ministry" of the most sincere and best reformed kirk in the world:—

ENORMITIES.—The first and main sin, reaching both to our personal carriage and callings, we judge to be, not studying how to keep communion and fellowship with God in Christ; but walking in a natural way, without employing of Christ or drawing virtue from him, to enable us unto sanctification, and preaching in spirit and power.

IN OUR LIVES.—1st, Much fruitless conversing in company, and complying with sins of all sorts; not behaving ourselves as becomes the men of God. 2d, Great worldliness, and forgetting the main thing. 3d, Altogether wanting of God's worship in our families. 4th, Want of gravity in carriage and apparel, dissoluteness in *hair*, and *shaking about the knees*, [we cannot precisely say what this means]; lightness in the apparel of our wives and children. 5th, Tippling, and bearing company in untimely drinking in taverns and alehouses. 6th, Speaking ill of the godly. 7th, Unsanctifying the Lord's day. 8th, Using small and minced oaths. 9th, General ignorance of scripture, and meditation thereon.

IN OUR CALLINGS.—1st, Corrupt entry into the ministry in former times; and, at present, entering into it as a way of living in the world, and not as to a spiritual calling. 2d, Helping in, and maintaining of insufficient and suspected men. 3d, Partiality in favouring and speaking for the scandalous; teaching them how to shift and delay censures. 4th, Not sufficiently zealous in *the cause*, whereby *malignants* are multiplied. 5th, Speaking ambiguously, and privately speaking against the ordinances which they publicly delivered from the

¹ Johnston's Collections, 303-304.

pulpit. 6th, Idleness, and not being, like *other tradesmen*, continually at their work. 7th, Want of zeal ; preaching *ex officio*, not *ex conscientia officii*. 8th, Self-seeking in preaching : and a venting rather of their [own] *wit and skill*, than a shewing forth of the wisdom and power of God. 9th, Lifelessness in preaching. 10th, The indiscreet curing of the indiscretion of pious people and ministers, whereby godliness hath gotten a deep wound, and *profanity* hath lifted up the head. 11th, Little care to furnish our army with ministers ; one of our grievous sins, and causes of our calamity. 12th, Lastly, it is to be feared that ministers, in secret, are negligent to wrestle in prayer for a blessing to be poured out upon their labours, contenting themselves with their public performances. Sixteen remedies were also set down to cure these corruptions ; and, in conclusion, " the General Assembly ordains the enormities above specified to be tried and restrained, and that the remedies thereof for that purpose be seriously observed and practised ; recommending, especially to presbyteries and provincial assemblies, that use be made of the same in visitation of kirks, and trial of presbyteries¹."

For the more effectually weakening Montrose, and undermining the cause of the king and of his loyal adherents, and " taking to their serious consideration the great and scandalous provocation, and grievous *defection* from the public cause, which some have been guilty of, by complying with the *rebels*, the public enemies of the *kirk* and kingdom, and judging it a duty incumbent on them to bring such notorious offenders to public satisfaction, that the wrath of God might be averted, and the public scandal removed, do therefore require, decern, and ordain, that such as, after lawful trial, shall be found to have been in actual rebellion, and to have carried charge with the rebels, . . . to be the penners or contrivers of James Graham's [marquis of Montrose's] proclamation, indicting a pretended parliament, or of any other his proclamations or declarations, &c., that all and every such offenders shall humbly acknowledge their offences, upon their knees, first before the presbytery, and thereafter before the congregation upon a Sabbath [Sunday], in some place before the pulpit ; and, in the meantime, that they be suspended from the Lord's supper : and, in case they do not satisfy in manner aforesaid, that they be processed with excommunication. And likewise ordains, that such as shall be found to have procured protection from the rebels, to have executed their orders, to have invited them to

¹ Johnston's Collections, 304-309.

their houses, to have given them intelligence, to have drank James Graham's health, or to be guilty of any other such gross degrees of compliance, shall acknowledge their offences publicly before the congregation, and be suspended from the communion aye and while they do the same. And further decrees and ordains, that all persons in any ecclesiastic office guilty of any degrees of compliance before mentioned, shall be suspended from their office, and all exercise thereof, for such time as the quality of the offence, and the condition of the offenders, shall be found to deserve¹."

But these were not all Montrose's crimes against the kirk and kingdom. His obedience, as captain-general of the kingdom, to the king's instructions to summon a parliament, was the unpardonable sin of *malignancy*, which was iniquity unto iniquity in the eyes of the Assembly. They accordingly fulminated the following act against James Graham, as they affected to call him:—"The General Assembly having considered the copy of a proclamation, published by order of that excommunicate traitor James Graham, for indicting of a pretended parliament, and finding the same to be full of *blasphemies* against the solemn league and covenant of the three kingdoms, and of vile aspersions of treason, rebellion, and sedition, most falsely and impudently imputed to the estates and most faithful and loyal subjects of this kingdom, do therefore declare, that such as have been prime instruments of the publishing of that or the like proclamation and declaration, deserve the highest censures of the kirk, unless they make humble confession of their offences publicly, in such manner as is prescribed by this Assembly; and humbly recommend to the committee of estates to take some course for their exemplary civil punishment, and that some public note of ignominy be put upon that proclamation as their honours shall think meet²."

The king's letter being brief, the reply of the Assembly was equally short and blunt. They express their confidence that his majesty would interpret their plain dealing and great freedom as a real testimony of their unfeigned affection, who, they said, had constantly laboured to approve themselves replete with fidelity, not only to king Jesus, but also to his majesty; and, moreover, they bluntly informed his majesty they were still resolved to walk in the same approved loyalty that they had exhibited towards him for some years back.

The Assembly received a letter from their commissioners at London, wherein they assured their constituents that there were

¹ Johnston's Collections, 311, 312.

² Ibid. 313.

small hopes of settling the presbyterian discipline in England, or of adopting the covenant, and the other indispensable appliances of the holy discipline. Erastianism was now predominant in England, and the Commons would by no means renounce that spiritual empire which they had acquired, through the fanatical cant of the puritans; and they publicly declared, "that they could by no means consent to the granting an unlimited jurisdiction to ten thousand judicatories; that such arbitrary sway was inconsistent with the fundamental laws of the nation, and, by necessary consequence, excluded the parliament from having any share of ecclesiastical jurisdiction." This was a great disappointment to the leaders in the Assembly; but they put the best face on the affair, lest those who were least attached to presbytery should take advantage of this disunion to expose their weakness. They wrote one of their fraternal letters to the Long Parliament, in which they give praise to the Lord for having set them on the bench of judgment, in order to assuage the intestine evils with which the kirk of England was afflicted; and that it was matter of great refreshment to them that the *enemy* had every where fallen before them, and exhorted them to adhere with constancy to the solemn league. These corruptions "were not only many, but for the most part universal and deep-rooted, sheltered under the shadow of custom and law, and supported with all the wisdom and strength of the *malignant* and *prelatical* party; who rather chose to involve the land in an unnatural and bloody war, than to fail of their ambitious and treacherous designs against religion, the privileges of parliament, and the laws and liberties of the kingdom; neither hath that miserable crew been wanting to their own ends, but, for many years together, hath desperately pursued their resolutions in arms¹." Such was the delusion under which they laboured, that they considered their own rebellion to be meritorious, and their *extirpation* of the royal and prelatical powers as done for the glory of God; instead of which they themselves were, as the apostle says, "as filthy dreamers that defiled the flesh, despised dominion, and spoke evil of dignities."—"I cannot but applaud you," says the jesuit, Lysimachus Nicanor, "for rejecting that former error to defend that kings are of divine institution, and do now hold with us that they are of human institution by positive laws. . . . Let all protestant doctors condemn this; yet let it *never repent you that you have received light from us.*"

¹ Guthry's Memoirs, 178.—Johnston's Collections, 320-322.

The Assembly wrote letters also to the lord mayor and aldermen of London, and to the assembly at Westminster, applauding their revolutionary exertions, and urging them onward in what they called reformation. They gave thanks to David Calderwood for the compilation of his history, recommended its publication, and remunerated him and his clerk for their trouble. Complaints were formerly made against James Guthrie, minister of Lauder, and James Simpson, of Sprouston, and their adherents, for keeping Brownist conventicles; but it was not convenient just then to quarrel with the English independents, and therefore the complaint was dismissed without any remedy. They gave a commission to Henderson, Blair, Douglas, Cant, and Guthrie, to attend the king at Newcastle, and to endeavour to extort from him, in his distress, an approbation of their schismatical and rebellious proceedings; and then they appointed the next meeting of the General Assembly to be at Edinburgh, on the first Wednesday of August, 1647.—But emulations and wrath crept in even unto the hearts of the most godly professors of this most sincere kirk! David Dick, and some others of older standing, took deep offence that Guthrie, who was but a young man, and had only been about four years a preacher, should have been preferred to them in this mission to the king. But the true reason that James Guthrie was selected was, that he had given such evidence of his bitterness against his majesty as induced the Assembly to presume that he would encounter him with greater rudeness, and more impertinent familiarity, than any of the others.

The Assembly rose on the 11th of June; and the commission met on the 27th of July, and violently opposed the convention which the rebel general Middleton had entered into with Montrose, to allow him and some of his friends to leave the kingdom without molestation. They said that such tenderness towards malignants and excommunicated persons was contrary to the obligations of the covenant, and upon that ground they petitioned the committee of estates to reverse it. And that they might not be deficient in performing the tyranny which was within their own province, they excommunicated the earl of Airly and six other loyal gentlemen, for their faithful adherence to the king's lieutenant. Nine commissioners were sent to Newcastle in September to bully the king, and the commission sat still to await their return, and in the interim they took up the case of the two Brownist ministers that had been remitted to them by the Assembly; "but although many things were proved against them which were very gross and offensive, yet the plurality of the committee voted them

not censurable. From which divers sound and reverend ministers dissented, and urged that their dissent might be recorded in the committee book¹." The commission proceeded to censure those ministers whose cases had been remitted to them; but the commissioners having returned from Newcastle, their attention was required to state affairs.

The commissioners reported to the committee of estates, on the 16th of September, that his majesty had refused to accede to their propositions; for he had now begun to discover that there was no end to concession. He said there were some of the propositions which for the sake of peace he might have agreed to, but there were others intermixed to which he would never consent, "unless he would unking himself." It was demanded of him to sign the Solemn League and Covenant, and consent to the abolition of episcopacy in England as he had done in Scotland; but this he firmly refused. He offered to agree to some of the propositions if they were separated from the others; but the tyrant commissioners said, *all or none*. The committee of estates came to the conclusion that as they had originally sent their army into England in order to reform the church, and as that object was not yet attained, they could not withdraw their forces from that kingdom. As soon as the commission heard of this resolution, they sent four of their number to desire that the committee would no longer defer their resolution to recal the army on account of the reformation, because they said *they could not press men's consciences!* This is really a new doctrine, quite inconsistent with the covenant and the practice of these men some time previously, when they compelled the whole kingdom of Scotland, much against their consciences, to sign it, and to perjure themselves by taking a false oath. The result was, that the question was left undecided until the meeting of parliament on the 2d of November, when the real leaders of the movement, Argyle and Warristoun, would be returned by that time, and who would carry the business against the king's interest². The royalists talked as loudly as they dared that this postponement was agreed to in collusion with the duke of Hamilton and his brother Lanerk, who had bargained for it with the leaders of the Long Parliament and the Scots commissioners at London, although, in the absence of Argyle and Warristoun, the brothers might have managed the committee of estates as they pleased. The Long Parliament appointed a committee to treat with the Scots commissioners, who asserted that they should have the sole power

¹ Guthry's Memoirs, 187.

² Ibid. 188.

of the disposal of the king's person, to the entire exclusion of the Scottish nation. On the other hand, the Scots maintained that the kingdom of Scotland was as much interested in the person of the king as the English nation; from the common good of both kingdoms; the conjunction and parity of interests; the declaration of both houses; former precedents; the treaty betwixt the kingdoms; the solemn league and covenant; the law of nations; and the rules of equity. The conferences took place in the painted chamber, and the chancellor Loudon sent home his three speeches to be printed and circulated, in order to evince his zeal in his majesty's behalf; but, says Mr. Skinner, "for all his fine speech he was easily satisfied, and sat down, he and his colleagues, with great composure, under this bold and evasive assertion of the two houses; 'we do affirm, that the kingdom of Scotland has no right of joint exercise of interest, in disposing of the person of the king in the kingdom of England.' As if he was not as much king of the Scots when at London as when at Edinburgh; or as if the Scots army might not have brought him from Newcastle over the Tweed, before the English parliament could have interfered; in which case, by their own doctrine, the English could have had no claim in the disposal of him. The whole appears, therefore, to have been nothing but collusion among the great ones on both sides, to amuse and pacify such as were not in the concert, and cannot at the same time but raise some degree of indignation, to see a set of subjects, pretended friends as well as avowed enemies, talking with as much uncivil freedom and unfeeling indifference about disposing of the king's person, as they could have done about a piece of contemptible property, or a stray that had wandered from its former owner¹."

The commissioners on both sides came at length to the point; that if the Scots would consent to withdraw their army, and leave the king at the disposal of the Long Parliament, a price should be given for their concurrence. It having been made the state of the question, "*what will you give us, and we will deliver him unto you?*" the chancellor Loudon and the earl of Lauderdale were left to higgler for the price; and Argyle and Warriston hastened to Edinburgh to attend the opening of parliament.

In passing through Newcastle, the king, who was now without all power to refuse, conferred on the traitor Warriston the office of lord advocate, whose powers are indefinite, and which

¹ Ecclesiastical History of Scotland, ii. 394.—Guthry's Memoirs, 188, 189.

had become vacant by the death of another traitor, sir Thomas Hope. In consequence of Mr. Henderson's death, the king also bestowed the revenue of the chapel royal, which was of considerable value, on Robert Blair, the minister of St. Andrews. In these preferments he cannot be blamed, for he had not the power to refuse any demand which they might have made; yet these transactions shew the pliability of their consciences, which could solicit and accept favours, although their consciences would not allow them to grant him his just rights. Blair's appointment to the chapel-royal created intense jealousy and chagrin in the heart of Robert Douglas, who thought that he himself was best entitled to that ecclesiastical prize; and it produced a rooted hatred in his mind against the king and his successor¹.

THE PARLIAMENT sat down on the 3d of November; and the royalists urged the duke of Hamilton to introduce the chief business, which was, the recognition of the king. The laird of Innerpeffer, who had previously ascertained the loyalty of the greatest number of the members, earnestly entreated the duke to enter upon that business without delay, and assured him of a majority of thirty if it were put to the vote immediately. On the other hand, he said if it were delayed till Argyle and the commission of the kirk could complete their intrigues, at which they were busily at work, they would gain over a number of the members, and the opportunity for serving the king would be lost. The duke frigidly thanked Innerpeffer for shewing such affection for the king; but as he himself knew best the fittest time for introducing such a motion, he begged to be allowed to choose his own time. With the treachery or weakness natural to the duke's character, he suffered the time to advance, of which Argyle and the commission were taking advantage, and in the course of the following week Innerpeffer found that many had changed sides. He sent therefore sir John Hamilton, the lord justice clerk, to the duke, to press on him the necessity for instant exertion; but his grace gave the same cool answer, that he was himself the best judge. It was the 15th of December before the duke mentioned the preservation of the king, and then it was *too late*, as most likely it had been designed. About that time letters were received from the commissioners at London, in which they shewed the estates that the Long Parliament had agreed to pay £200,000 sterling in hand, and had pledged the public faith for another sum of the same amount, on condition that the estates would

¹ Guthry's Memoirs, 190.

withdraw their army, and surrender the king to them without any conditions. It was the decided opinion of the royalists that Hamilton's procrastination arose from his knowledge of this treaty, and notwithstanding his professions that he was implicated in the same atrocious transaction¹.

To strengthen the hands of the faction the commission of the kirk published "a Seasonable and Necessary Warning," in which they directed the people to renounce the king, and if "he should come to this kingdom, on being excluded out of England for his refusing to sign the propositions, it would not be lawful for this kingdom to receive him, on account of their obligations under the covenant." To save appearances, six delegates were sent to Newcastle, without any opposition from the Hamiltons, to require him to sign the propositions, with certification that if he refused the army would be marched homewards, and himself given up to the puritans. The commission of the kirk were most violent in their invectives, and in their urgency for extreme measures against the king. From what motive it is somewhat difficult to ascertain, they relaxed the earl of Seaforth and the lord Oglevie from their excommunication, although Argyle accounted them his greatest enemies, and used his utmost efforts to prevent their relaxation.

By two ordinances of the 9th of October and the 16th of November, the Long Parliament accomplished the *extirpating* clause of the Scottish covenant, to which they had sworn by abolishing the names and titles of archbishops, bishops, &c.; and they afterwards sold the lands belonging to the sees, and distributed the sums arising from the sale, amongst their own members and the officers of their army. But still they had not established presbytery; the ecclesiastical government was episcopalian, and the parliament would not divide its power with ten thousand judicatories. The lord mayor represented this new grievance, and petitioned for the establishment of presbytery; but the parliament were content to issue a declaration on the 31st of December, in which they express their dislike to lay-preachers, and such as speak or write against presbytery; and their resolution to proceed against all such as preach or expound the Scriptures, unless they be called in the presbyterian way².

1647.—IN THE FIRST WEEK of January, despatches were received from the Scots commissioners at London, informing the committee that the bargain with the Long Parliament was

¹ Guthry's Memoirs, 191, 192.

² Guthry's Memoirs, 193.—Stevenson's Church and State, 569.

concluded, and that the price of the royal blood was to be paid as soon as the Scots army commenced their retreat. On the 14th the delegates returned from Newcastle with his majesty's firm and final refusal to the propositions formerly alluded to, and which will be given in a subsequent chapter. Upon the 16th, it was voted, by a large majority, that "according to the agreement of their commissioners, the army should retire beyond the Tweed, and the king be left to the English, *without any conditions for him, or this nation's interest in him.*" Only six of the nobility voted in the minority, Hamilton, Lanerk, Kinghorn, Tullibardine, Spynie, and Elibank; of the gentry, the lairds of Halkerton, Innerpeffer, Monorgone, and Curden; and of the members for burghs, William Lyon for Brechin, and those for Forfar and Tain, whose names are not in the roll of parliament. Although the two Hamiltons voted in the minority, yet it was merely to save their credit for loyalty, for all their friends and followers voted in the majority¹. It is but fair, however, to give an extract from the duke's speech:—"Will Scotland now quit her possession and interest in her sovereign, and do it to those whose enmity against him and us doth visibly appear? Is this the consequence of all your protestations of duty and affection to his majesty? Is this the keeping of your covenant, wherein you have sworn to defend the king's majesty's person and authority? Is this the suitable return for the king's goodness, both in consenting to all your desires in 1641, and in his late trusting his person with you? What censures will the world pass upon this action! What a stain will it be to the whole reformed religion! And what danger may we not apprehend both to the king's person and to Scotland, from the party that now prevails in England!" Notwithstanding these and other arguments of the loyalists to dissuade the covenanters from giving up the king, the house agreed to sell their sovereign, and this most disgraceful act was immediately sent up to the commissioners at London, and the price of the royal blood as quickly sent down to Newcastle in thirty-six waggons, and a receipt was given for it by the Scottish commissary-general. The Scots army broke up on the 31st of January, and on the 11th of February their rear-guard crossed the Tweed at Kelso, where they again swore to the covenant³. On the payment of the stipulated price, the king was delivered up to the earl of Pembroke, at 9 o'clock in

¹ Intercepted Letter from a Malignant here in London to his Friend in Scotland. Small 4to. London, 1648.

² Peterkin's Pocket Peerage, vol. i. 61.
Guthry's Memoirs, 193, 194.

the morning of the 28th of January, and immediately after the Scots army commenced their retreat. The earl of Pembroke remained with the king at Newcastle, according to his orders, till the 3d of February, when he conducted him to Holmby House, which, for the present, was destined to be his prison.

The disgrace and guilt of this infamous transaction cannot with justice be laid to the charge of the *whole* of the Scottish people as a national crime, inasmuch as it was the undivided act of an united political and religious *faction*, acting in strict conformity with the execrable principles which are embodied in their magna charta, the Solemn League and Covenant. The greater part of the nation were loyal, and abhorred the extirpating obligations of this instrument of the jesuits; but they were oppressed and silenced by the more active and vigorous faction, which had the advantage of wielding the whole power of the royal government, and in the king's name, which he had conceded to them, and which they found was indeed a "tower of strength." The third part of the nobility were not present; many were secluded, for their known loyalty and affection to the king, and others, on various pretexts, withdrew voluntarily, from a despicable fear of offending the ruling oligarchy, and so of incurring either skait or scorn. The chief majority arose from the members for the western counties and Fife, and the burghs within them, which have always been more under presbyterian influence than the other parts of the kingdom, and they have to answer for that unnatural and cruel action. "There were an hundred for one all the kingdom over that abhorred it, and would never have instructed their commissioners that way: so that they alone [the members for the western counties] have to answer to God for that deportment. Howbeit, those who sent them were so overawed that they durst not challenge them. And, thirdly, as for the ministry, albeit they had always been careful to constitute the commission of the church, so that the plurality thereof should run their way, yet was there found some who all along in their debates exonerated themselves fairly: such as MR. ANDREW RAMSAY and Mr. William Colville, ministers of Edinburgh, MR. ANDREW FAIRFOUL, minister of Leith [and afterwards archbishop of Glasgow,] Mr. Robert Knox, minister of Kelso, Mr. Oliver Coutts, minister of Inverness, Mr. David Drummond, minister of Linlithgow, and MR. HENRY GUTHRY, minister of Stirling [afterwards bishop of Dunkeld], and others. And as for the body of the ministry throughout the kingdom, *the far greater part disallowed it; howbeit, loathness to be deprived of their func-*

tion and livelihood restrained them from giving a testimony¹." In short, God had sent a spirit of delusion and selfish fear upon the greater part of the clergy and on all the ministers; and on those who had escaped the fearful sins of the times, He had not vouchsafed to give them the spirit of martyrdom, to take up their cross, and cheerfully to *suffer* for Christ.

In his prison meditations, the royal martyr says of this most infamous transaction, "Yet may I justify those Scots to all the world in this, that they have not deceived me, for I never trusted to them farther than to men: if I am sold by them, I am only sorry they should do it; and that my price should be so much above my Saviour's God sees it fit to deprive me of my wife, children, army, friends, and freedom, that I may be wholly his, who alone is all. I care not much to be reckoned among the unfortunate, if I be not in the black list of the irreligious and sacrilegious princes. . . . What they call obstinacy, I know God accounts honest constancy, from which reason, and religion as well as honour, forbid me to recede. It is evident now that it was not evil councillors with me, but a good conscience in me, which hath been fought against; nor did they ever intend to bring me to my parliament, till they had brought my mind to their obedience. . . . The laws will, by God's blessing, revive with the love and loyalty of my subjects, if I bury them not by my consent, and cover them in that grave of dishonour and injustice which some men's violence hath digged for them. If my captivity or death must be the price of their redemption, I grudge not to pay it. No condition can make a king miserable which carries not with it his soul's, his people's, and posterity's thralldom. After times may see what the blindness of this age will not; and God may at length show my subjects that I chose rather to suffer *for* them than *with* them. Haply I might redeem myself to some shew of liberty, if I would consent to enslave them. I had rather hazard the ruin of one king, than to confirm many tyrants over them; from whom, I pray God, to deliver them, whatever becomes of me, whose solitude hath not left me alone²."

As soon as the army was withdrawn to the left bank of the Tweed, the farce of disbanding it took place; but in reality it was merely what they called a *purging of the malignants* out of it. The presbyterian ministers from their pulpits proclaimed this measure as one of the most devoted patriotism and loyalty; whereas, in reality, it was entirely an act of selfish security, in

¹ Guthry's Memoirs, 195.

² Eikon Basilike, 117, 119.

order to put out all those who were favourable to the king, and to reconstruct an army of partizans devoted to the covenant, and its synonym—rebellion. The number both of officers and men who were what they called “tainted with *malignancy*,” was so great, that they could not be trusted to act against the royalists, who were still giving them annoyance in the north. Of the money which they had received as the price of the king’s blood, Argyle secured £30,000, and £15,000 more was divided among his partizans. Warriston received £3000; and the double-dealing deceitful duke of Hamilton also received £30,000, under pretence of remuneration for the losses which he sustained under Montrose; but, in reality, as the reward of betraying his sovereign, and advancing *the Cause*. To repay the tenantry on the Argyle estates, the ministers were compelled to preach up the collection of a voluntary contribution. The leading ministers in the commission, Dick, Blair, Cant, and some others, also received liberal allowances of the blood-money: the sums were not made public, but it was remarked that they became suddenly rich, and lived very sumptuously afterwards¹.

The committee of estates sent general David Leslie northward to subdue the marquis of Huntly’s dependents, who had made a miserable effort after Montrose was compelled to go abroad, instead of joining heartily with him, when he might have changed the whole fortune of the war, and restored the king to his throne. He hanged all the Irishmen that he found among the Gordons, and then marched towards the county of Argyle against sir Alexander Macdonald, who, after deserting Montrose, devastated the highlands at the head of 1400 infantry and two troops of horse. On the appearance of Leslie, Macdonald found means to transport his soldiers to Ireland, and such of the country-people as he had constrained to join him submitted, on quarter being promised them by general Leslie. But Argyle, a *lay-elder*, and Mr. John Nevay, a *minister*, whom the commission of the kirk had appointed as Leslie’s chaplain, prevailed with him to break his word, and the covenanting army, which was now purged of malignants, *killed them all*, amounting to about two hundred men, without mercy. “Whereat,” says Guthry, “David Leslie seemed to have some inward check; for while the marquis and he, with Mr. Nevay, were walking over the ancles in blood, he turned about and said, ‘Now, Mr. John, have you not for once got your fill of blood?’ This was reported by many that heard it².” After

¹ Guthry’s *Memoirs*, 196, 197.

² *Ibid.* 199.

this christian-like fruit of the covenant, Leslie transported his army to the island of Islay, where Macdonald had left a garrison in the castle of Duniveg, or Dunaverti, which was a place of considerable strength. On the capture of this castle, the garrison was put to the sword at the instigation of this infamous Nevay, who seems to have been deeply imbued with the spirit of the covenant. Sir James Turner, who was present, relates, in his memoirs, the fact of these two massacres; where "three hundred men, after they were comed out of the castle, were put to the sword everie mother's sonne, with a hundredth country fellows, whom we had smoked out of a cave as we doe foxes." Nevay never ceased to tempt Leslie to this massacre, "yea, and threatened him with the curses that befel Saul for sparing the Amalekites, for with them his theologie taught him to compare the Dunaverti men; and I verilie believe this prevailed most with general Leslie, who looked upon Nevay as *the representative of the kirk of Scotland*¹." This most infamous massacre reflects indelible disgrace on the clerical and lay representatives of the kirk, the kirk itself, and on general Leslie, who could authorise such a massacre under any circumstances, but especially after he had solemnly pledged his word for the lives and safety of the prisoners. Such is the fruit of the covenant, and by its *fruits* must a tree be judged; for these massacres would not have been perpetrated had not the representative of the kirk and a minister of the covenant threatened the general with spiritual thunders if he had spared the lives of the unfortunate prisoners. "The tender mercies of the wicked are cruel."

We are informed by his biographer, that "Mr. John Nevay was licensed and ordained a minister in the time of Scotland's *purest reformation*, and settled at Newmills, in the parish of Loudon; and was, besides his *soundness* in the faith, shining *piety* in conversation, and great diligence in attending all the parts of his ministerial function, particularly church judicatories, one who was always very zealous in contending against several steps of defection, which were contrary to the work of reformation carried on in that period²."

The information that Cromwell had seized the person of the king alarmed the faction in Scotland. The committee of the estates and the commission of the kirk met in consequence on the 22d of June, but adjourned till July, to wait the issue of further intelligence. On the 17th of July, George Winram arrived from London, and informed them that the power of the army under Cromwell increased—that the establishment

Cited in note to Kirkton's History, p. 44.

² Scots Worthies, p. 237.

of liberty of conscience, with *universal toleration*, was thought to be one of their objects—that general Pains, one of the parliament's officers, was imprisoned by Cromwell in Pontefract castle—and that, “upon July the 12th, the army had sent to the parliament and city some proposals of an odd strain. What the proposals might be was not well understood, until that, at the end of July, the Scotch commissioners residing in London gave an account, that, upon the receipt of these proposals, the city of London, with the apprentices and watermen, did all join in a new bond for the ends of the covenant, and presented the same to the parliament.” Cromwell now marched through London, when the Tower and the city militia were delivered up to him. This revolution, says Guthry, “put our great ones to a non-plus,¹” but they could do nothing: they had now to deal with a man who would make no concessions, and could fight them with their own weapons, both carnal and spiritual.

THE GENERAL ASSEMBLY met, according to the appointment of the last meeting, at Edinburgh, on the 4th of August, and chose Robert Douglas, one of the ministers of Edinburgh, to be their moderator. There is no record of their proceedings till the 16th, when an act was passed allowing only one half of the ministers in the presbytery of Shetland, with their ruling-elders, to attend the provincial assembly². And nothing farther is recorded till the 20th, which was their fifteenth session, when a declaration and brotherly exhortation was drawn up and approved to be sent to their brethren in England; which was found necessary, from the backwardness of their English brethren in promoting the cause of presbytery, and from the decided Erastianism which was avowed and acted on in England under the tyrannical rule of the parliament, and which made the Scottish covenanters “sympathise with them in their danger and affliction as their own, both kingdoms being united as one entire body in one covenant, for pursuing the common cause and ends therein expressed;” namely, of *extirpating* the church of the three kingdoms, and prostrating the monarchy under the foot of presbytery. In their brotherly exhortation they proceeded to say,—

“First of all, whatsoever the present discouragements, difficulties, or dangers, are, or whatsoever for the future they may be, we cannot but commemorate to the glory of God, and we doubt not it shall be remembered *to his glory* in the church throughout all ages, how great a salvation his mighty hand

¹ Guthry's Memoirs, 200.—Neal's Puritans, ii. 444, 445.

² Johnston's Collections, 328.

and outstretched arm hath wrought for these three kingdoms. How he stirred up the spirits of his people in this kingdom, ten years ago, to shake off the yoke of prelatical tyranny and of popish ceremonies, obtruded upon us, contrary to the laws of God and men ; how he led us from so small beginnings, and from one degree to another, till we were united in a national covenant ; how he gave us a banner to be displayed for the truth, and so blessed us in the prosecution of that covenant, that the king's majesty was graciously pleased, upon the humble petitions of his loyal subjects in this nation, to indict a general assembly and parliament for healing the grievances of church and state respectively, as likewise to grant his royal consent for confirming and ratifying, by acts of parliament, our national covenant, and the government and liberties of this church. After which, the new troubles raised against us by the malice and treachery of *our enemies*, did occasion the first expedition of this nation into England, (upon which followed the calling of the parliament there, and the large treaty) ; and, in the issue, the return of that army was with an olive-branch of peace, and not without the beginning of a reformation in England. In which work, whilst the parliament was interrupted and opposed, and a bloody war begun, with great success on that side which opposed the parliament and the begun reformation, from whence also did accrue great advantage to the popish party, (whereof the cessation of arms concluded in Ireland may be instead of many testimonies) ; commissioners were sent hither from both Houses, earnestly inviting and persuading to a nearer union of the kingdoms, and desiring assistance from this nation to their brethren in that their great distress ; and this, by the good hand of God, produced the solemn league and covenant of the three kingdoms, to the terror of the popish and prelatical parties, *our common enemies*, and to the great comfort of such as were wishing and waiting for the reformation of religion, and the recovery of just liberties. . . . Nevertheless, we are also very sensible of the great and imminent dangers into which this common cause of religion is now brought, by the growing and spreading of most dangerous errors in England, to the obstructing and hindering of the begun reformation, as, namely, (besides many others), Socinianism, Arminianism, Anabaptism, Antinomianism, Brownism, Erastianism, Independency, and that which is called (by abuse of the word) *Liberty of Conscience* ; being, indeed, Liberty of Error, scandal, schism, heresy !—dishonouring God, opposing the truth, hindering reformation, and seducing others ; whereunto we add those Nullifidians, or men of no religion, commonly

called Seekers. Yea, we cannot but look on the *dangers* of the true reformed religion in this island as *greater now than before*; not only for that those very principles and fundamentals of faith which, under prelacy,—yea, even popery itself,—were generally received as uncontroverted, are now, by the scepticism of many sectaries of this time, either oppugned or called in question; but, also, because instead of carrying on the reformation towards perfection, that which hath been already built is in part cast down, and in danger to be wholly overthrown, through endeavours of sectaries to comply with many of the *prelatical and malignant*, and even the popish party; and their joining hand in hand, and casting in their lots, and interweaving their interests together, in way of combination against the covenant and presbyterial government. Yea, the unclean spirit, which was cast out, is about to enter again, with seven other spirits worse than himself, and so the latter end is like to be worse than the beginning. . . . Yea, it is too apparent and undeniable, that among those who did take the covenant of the three kingdoms, as there are many who have given themselves to a detestable indifferency or neutrality, so there is a generation which hath made defection on the contrary part; persecuting, as far as they could, that true reformed religion in doctrine, worship, discipline, and government, which, by the covenant, they ought to preserve against the common enemies; hindering and resisting the reformation and uniformity, which, by the covenant, ought to be endeavoured; preserving and tolerating those cursed things, which, by the covenant, ought to be extirpate—heresy and schism encroaching upon, yea, offering violence unto, the rights, privileges, and authority, of magistracy; protecting and assisting such as, by the covenant, ought to have been brought to condign punishment, and persecuting those who, by the covenant, ought to be assisted and defended; endeavouring, also, a breach instead of a firm peace and union between the kingdoms: so that there is not any one article of the solemn league and covenant which hath not been sinfully and dangerously violated before God, angels, and men. . . . But besides these omissions, it may be justly doubted whether there be not, in these proposals of the army, somewhat *for episcopacy* and against the covenant; for we cannot understand the eleventh proposal in any other sense but that it supposeth the continuance of the ecclesiastical office of bishops or prelates, as well as of any other church officers; and taketh no more from the prelates but the coercive power or jurisdiction extending to civil penalties, which, indeed, belongeth to no ecclesiastical officers. . .

One thing we are confident of, that God hath had a special controversy against his people of old for the sin of a *broken covenant*, and unwillingness to be reformed and purged according to the word of the Lord, and that till these sins be acknowledged and repented his controversy did not take an end. . . . More particularly we do desire, that the presbyterial government may be settled and put in practice throughout that kingdom [of England] according to the word of God, and the example of the best reformed churches; for without this we know no other effectual remedy against the present dangers of religion there, or for purging the church from scandals, which are destructive either to sound doctrine or to godliness; and herein, we are confident, the experience of all the reformed churches will bear witness with us¹."

There never seems to have been that chastised soberness about presbytery, at any period of its history, which is the characteristic of truth. It can only live in excitement, contention, and turbulence; and no sooner does it arrive at what it considers a spotless and unwrinkled state, and the excitement has begun to subside, than right-hand defections and left-hand backslidings begin to appear immediately, and their whole fabric, in which they so much glory, with all its carved work, is broken down, as it were, with sledge-hammers and axes, and we are continually hearing lamentation, and mourning, and woe, over all the sins that *flesh* is heir to. Strong allusion is made to this tendency of the holy discipline to the sins of the flesh, in the Assembly's directions for "secret and private worship", where, in the thirteenth clause, they say,—“and because it is not given to every one to speak a word in season to a wearied or distressed conscience, it is expedient that a person (in that case), finding no ease after the use of all means private and public, have their address to their own pastor, or some experienced christian; *but* if the person troubled in conscience be of that condition, or of that *sex*, that discretion, modesty, or fear of *scandal*, requireth a godly, grave, and secret friend to be present with them in their said address, it is expedient that such a friend be present²."

That itchiness of the ears which is such a concomitant of the extemporary mode of public worship, led many of the people to desert their parishes, and follow the preaching of some popular man in their neighbourhood; and the frequent meetings of the Assembly, and the almost constant session of the commission of the kirk, left many parishes without what is

¹ Johnston's Collections, 329-42.

² Ibid. 349.

now, in modern presbyterian language, called "*supply of sermon*." In consequence, a spirit of wandering from one place of worship to another became so common, that the Assembly found it necessary to enact the following law "against such as withdraw themselves from the public worship in their own congregation :—

"Since it has pleased God, of his infinite goodness, to bless his kirk within this nation with the riches of the gospel, in giving to us his ordinances in great purity, liberty, and withal a comely and well-established order, the Assembly, in the zeal of God, for preserving order, unity, and peace in the kirk,—for maintaining that respect which is due to the ordinances and ministers of Jesus Christ,—for preventing schism, noisome errors, and all unlawful practices, which may follow on the people's withdrawing themselves from their congregations, &c. . . . ordains every member in every congregation to keep their own parish kirk ; to communicate there in the word and sacraments ; and if any person or persons shall hereafter usually absent themselves from their own congregation, except in urgent cases made known to and approven by the presbytery, the ministers of these congregations whereto they resort shall, both in public by preaching, and in private by admonition, shew their dislike of their withdrawing from their own minister ; that, in so doing, they may witness to all that hear them, their due care to strengthen the hands of their fellow-labourers in the work of the Lord, and their detestation of any thing that may tend to separation, or any of the above-mentioned evils : hereby their own flock will be confirmed in their steadfastness, and the unstable spirit of others will be rectified. Likeas the minister of that congregation from which they do withdraw shall labour first, by private admonition, to reclaim them ; and if, after private admonition by their own pastor, they do not amend, in that case the pastor shall delate the aforesaid persons to the session, who shall cite and censure them as contemners of the comely order of the kirk ; and if the matter be not taken order with there, it is to be brought to the presbytery. For the better observing whereof, the presbytery, at the visitation of their several kirks, and provincial assemblies in their censure of their several presbyteries, shall inquire thereanent ; which inquiry and report shall be registrate in the provincial books, that their diligence may be seen in the General Assembly¹."

All the violent and antimonarchical proceedings of the late commission were approved and ratified by this Assembly ;

¹ Johnston's Collections, 349-50.

which shews, that the rebellious proceedings of the commission against the king,—their betrayal and sale of his person,—the usurpation of his government,—the massacre of prisoners of war in cold blood after quarter had been promised,—and their excommunication of all his loyal and faithful adherents, were not simply the isolated and unauthorised acts of a few intemperate and headstrong men, but the deliberate and approved acts of the whole presbyterian body. But it must not be laid on the national clergy, who composed the largest proportion of the kingdom situate north of the river Tay, and who stood aloof from the presbyterian party, but who were culpably submissive to that faction which had prostrated the church, and extirpated her hierarchy. “The General Assembly, upon mature deliberation, *do ratify and approve* the whole acts and conclusions of the commissioners of the preceding Assembly, for public affairs now tried and examined; declaring that they have proceeded therein with much zeal, wisdom, vigilance, and *according to their commission*¹.”

Messieurs Robert Baillie and George Gillespie, two of the Scots commissioners who sat and voted in the Westminster Assembly, presented the new Confession of Faith, which had been drawn up by that assembly; and copies of it were printed, and sent to the ministers for their examination, that they might be enabled to come to a deliberate judgment on its merits, and an act of approbation was agreed to². These gentlemen also shewed Dr. Twiss, the prolocutor's, speech to the Assembly, in which he laments the *bad observance* of the Directory, the Assembly's want of power to censure offenders, and that the Lord, he said, was pleased still to exercise them with many wrestlings. He confessed their affairs to be much embarrassed, and in a kind of chaos at present; and in the end he put them in mind of the *restraint* the synod laid under from the parliament, and that the present was no proper juncture to apply for relief, it being a time of general darkness and sad apprehensions. “The meaning of all which,” says Mr. Skinner³, “seems to be, that he feared the independents would prevail against them, and pull their darling scheme of presbytery to pieces,—which happened accordingly.” Gillespie, in his speech, bitterly lamented the success of the independents, and says, “Before, our difference was with the prelates and sectaries, so much as we knew, only concerning church government, scarce imagining other differences; but now they are grown to that, that there

¹ Johnston's Collect. Aug. 26, Sess. 22. ² Ib. Aug. 22. Sess. 23, p. 351.

³ Ecclesiastical History, ii. 398-99.

is not an article of the christain faith but it is controverted ; and some have drunk in that principle, the more fundamental the point denied or controverted, the more it ought to be tolerated, because being the more remote from sense and reason, and so the deniers or affirmers of it ought the less to be controuled. As the Solemn League and Covenant was justly conceived to be a sovereign remedy against the former evils, so when that is cast aside it must make the dangers the more and greater ; many refuse to subscribe that League and Covenant, and it is no wonder, *seeing it hath not a civil sanction* urging it upon the people. The king hath not agreed to it. The parliament, though it hath enjoined the subscription of it in all the kingdom, yet there is no penalty enjoined upon the non-subscribers of it ; and so by many it is not only slighted, but also it is written against of late by the whole University of Oxford, which hath not as yet gotten an answer, but I hope it shall shortly ¹." And Baillie himself says, "that the great work we do intend there [in England] is so well grounded, and so far advanced among them, that the ports of hell and the greatest power of man shall never be able to overturn it ; yea, that the present storm, how terrible soever, which the prime instruments of Satan this day on earth, and our greatest adversaries, *the sectaries*, have raised, shall by the goodness, wisdom, and power of God, be turned over, as the unreasonable rage and folly of the prelates lately was, to be a happy mean of hastening the accomplishment of all our desires. I am very hopeful that the present earthquake, though it shake the foundation, and threaten the swallowing up of both church and state, yet it shall prove a near antecedent to the settling of all the three kingdoms, and the churches in them, in that peace and happiness which some cannot believe till they see and feel it ²."

The Westminster Confession of Faith was at first a work of chance, that was never intended to have been produced in its present form. The Westminster divines yielded that to the power of the parliament, which the Glasgow Assembly had made partly the cause of their rebellion in 1638 ; and against this, accordingly, the present Assembly lifted up their testimony, but in a subdued tone. "It is further declared that the Assembly understandeth some parts of the second article of the thirty-one chapter only of kirks not settled or constituted in point

¹ Speech before the Assembly, 6th August, Appendix to Baillie's Letters, iii. 453.

² Baillie's Speech, 6th August, Letters, iii. 13.

of government, and that although in such kirks a synod of ministers and other fit persons may be called by the magistrate's authority and nomination, without any other call, to consult and advise with about religion, [this is going the whole length of the erastian doctrine, that the government of the church proceeds from the civil magistrate, or, as they say in Scotland, to homologate erastianism]; and although likewise the ministers of Christ, without delegation from their churches, may of themselves, and by virtue of their office, meet together synodically in such kirks *not yet* constituted; yet neither of these ought to be done in kirks constituted and settled."

The presbyterian party would not accept a good and approved liturgy, prepared by the Scottish prelates and established by the royal authority, yet they readily accepted a confession of faith drawn up by foreign independents, and forced upon them by the erastian power of a foreign parliament. They likewise passed an act approving and accepting a new metrical version of the Psalms, which was also imposed upon them by the Westminster Assembly and the Long Parliament. But, indeed, every part of their system is *foreign*—their government, discipline, confession of faith, and mode of worship; such inconsistency is always exhibited when men diverge from and forsake the old paths of God's appointment, the good way in which He, the fountain of living waters, has set their course, to hew out for themselves broken cisterns that can hold no water.

The Assembly passed an act for collecting the fines which the parliament at Perth imposed on those *malignants* whom the commission had excommunicated, and which were gathered up with rigour. They also passed an act to prohibit the importation or selling of "erroneous books or papers," or "to converse with persons tainted with errors," but to "abstain from books maintaining independency, or separation, and from all antinomian, anabaptistical, and other erroneous books and papers¹;" so that it appears the Assembly were themselves feeling the evil of that schism and separation which they had with so much violence commenced. They wrote a pastoral letter to their countrymen scattered over the continent, recommending their adherence to the Solemn League and Covenant, and promising to send them the new Directory for their public worship. There was an act passed, also, concerning "the hundred and eleven propositions" maintained in Gillespie's work, entitled "Aaron's Rod Blossoming;" and, after due deliberation, they agreed

¹ Session 26, August 31.

to adopt eight of its general heads of doctrine, viz.—1, that the ministry of the word and the administration of the sacraments of baptism, and the Lord's Supper, are standing ordinances, instituted by God himself to continue in the church to the end of the world; 2, that such as administer the word and sacraments ought to be duly called and ordained thereto; 3, that some ecclesiastical censures are common, and may be inflicted both on ministers and other members of the kirk; 4, that the censure of suspension from the sacrament of the Lord's Supper, inflicted because of gross ignorance, or because of a scandalous life and conversation, as likewise the censure of excommunication, or casting out of the kirk flagitious or contumacious offenders is necessary (in respect of divine institution) to be in the kirk; 5, that as the rights, power, and authority of the civil magistrate are to be maintained according to the word of God and the confessions of the faith of the reformed kirks, so it is no less true and certain that Jesus Christ, the only head and only king of the kirk, hath instituted and appointed a kirk government distinct from the civil government or magistracy; 6, that the ecclesiastic government is committed and entrusted by Christ to the assemblies of the kirk, made up of the ministers of the word and ruling elders; 7, that the lesser and inferior ecclesiastical assemblies ought to be subordinate and subject unto the greater and superior assemblies; 8, that notwithstanding hereof, the civil magistrate may and *ought* to suppress by *corporal or civil punishments*, such as by spreading error or heresy, or by fomenting schism, greatly dishonour God, dangerously hurt religion, and disturb the peace of the kirk. Which heads of doctrine (. . .) the General Assembly doth firmly believe, own, maintain, and commend unto others, as solid, true, and orthodox, grounded upon the word of God, consonant to the judgment both of the ancient and of the best reformed kirks¹."

There is a striking likeness betwixt the eighth head of this doctrine and a proposition in the celebrated Peter Den's Theology, which says, "that unbelievers and all baptized schismatics can be compelled, *by corporal punishments*, to return to the catholic faith and to the unity of the church²;" and it marks a brotherly unity of design in popery and presbytery to *extirpate* what they mutually call heresy and schism. The Assembly approved of an overture to compel all students at the universities at their matriculation to sign the Solemn League and Covenant, and all other persons as they came to age and discretion, before

¹ Johnston's Collections, pp. 365, 367.

² Vol. ii. p. 80.

their first receiving the sacrament of the Lord's Supper. After passing some other local and private acts, they appointed the next General Assembly to meet at Edinburgh, on the second Wednesday of July, 1648, and then dissolved the present meeting.

PREVIOUS to their dissolution, the late Assembly appointed a new commission, in which, as usual, Argyle's name appears the first on the list of ruling elders, to which all the particular affairs that had not been discussed in the Assembly were referred. During Argyle's temporary absence, petitions were presented to the committee of estates for the reduction of David Leslie's army, the pay and maintenance of which was a great burthen on the loyalists. Hamilton promised that it should be disbanded on the 20th of October, provided the committee of estates, which was to meet on the 12th, should agree to it. This was like all that incomprehensible man's doings; he had not courage to refuse the petitions, but before the appointed time he knew that Argyle would be present at the meeting of the committee, who would quash his proceedings, which he accordingly did, and ordered the army to continue till the following March. "Whereunto," says Guthry, "the commissioners of the General Assembly were very helpful, having, beside their present intriguing, set forth a declaration for that end." The army lived at *free quarters* on the *malignants*, or on those suspected of that crime, *i. e.* of being attached to the king and the church; and they were to do them as much injury in their property as could be accomplished, "for there was no more to be done but once to give them the name of *malignants*, and then it was *piety* to plunder them." The committee also took another way of extirpating malignancy, which was, to summon individuals before them and compel them to *lend* money, according to their supposed means, from £100 sterling and upwards, according to the pleasure of the committee. If any one resisted, his forced loan was doubled; if any professed his inability to comply, some of the members would offer to lend the sum on bond, when he had interest on the amount to pay, besides the fine; and if any obstinately refused he was imprisoned till he submitted. "They gloried so much in this device, that they used to contend among themselves whether the quickness of the invention should be ascribed to the committee of estates or to the commission of the church; it being (said they) the most excellent way for *reaching heart malignants*, as they called those who disallowed their course, and yet walked so reservedly, that they could find no pretexts in a legal way whereby they could fine or forfait them. And,

indeed, by this way they drew from honest people such sums as did sufficiently impoverish them, and made the committee abundantly able both to gratify sycophants that depended upon them, and daily to corrupt more and more¹. "Never," says Hume, justly, "in this island was known a *more severe and arbitrary* government, than was generally exercised by the *patrons of liberty* in both kingdoms²."

What a contrast is here presented betwixt the extortion and unjust oppression of the dictatorship of Argyle and the revolutionary parliament, and the just and legal taxation of the king's government, which could scarcely raise a sufficient revenue for its ordinary expenditure. But the dictator had other methods of oppression besides those just named. The late upright and most loyal lord Napier died in the year 1645, and the committee passed an act of forfaiture, and ordered his bones to be exhumed. A fictitious summons was executed at the pier of Leith against his son, who was then in exile for his loyalty, requiring him to appear on sixty days' warning to execute their sentence, and raise his father's bones from the grave! This alarmed his friends, and they paid 5000 marks to save his forfaiture, which being the object of the committee, the matter was dropped. Two years previously, the committee had compelled him to pay £2000 sterling, because his late noble father had joined Montrose; besides they deprived him of 8000 marks which they owed to his late father for the purchase of provision for their army³.

Whilst the committee were thus oppressing and plundering the loyalists, they had an opportunity of wreaking their vengeance on the king's friends in another way. The lairds of Newton and Hartfel, the younger, having been arrested, were condemned to suffer death; but by the interposition of some friends the king sent down a written remission of their sentence. But the king was now to find that his office was only in name. This remission was only laughed at, and they were beheaded at the cross of Edinburgh, for no other alleged cause than that of loyalty to the king and having served under Montrose. The marquis of Huntly, whose morbid jealousy of Montrose, and resentment for a former affront, had ruined the king's affairs in Scotland, was made prisoner on the 21st of December: it was debated in the committee whether he should be immediately executed, or reserved till the meeting of parliament. Argyle being his brother-in-law, but his

¹ Guthry Mem' soirs, 204. ² Hume's Hist. of England, viii. 128, edit. 1789.

³ Guthry's Memoirs, 205.—Napier's Montrose and the Covenanters.

greatest enemy, withdrew, but his faction, as well as the commission of the kirk, who were most earnestly solicitous, were urgent for immediate execution: his respite was carried by a majority of one. The committee were now alarmed by the prospect of some accommodation betwixt the king and the Long Parliament; and the Scots commissioners at London began to object to his granting the conditions which the parliament required, and in his presence protested against his signing the articles unless he would give Scotland some more contentment respecting the reformation!¹

1648.—THE KING was now reduced to the position of a prisoner, and in his distress he was ready to listen to any advice which promised relief from confinement, and perhaps assassination. The earls of Lanerk and Lauderdale proposed to return and lay certain concessions which they had extorted from him before the committee of estates, and to use their utmost exertions to obtain the consent of the ensuing parliament for raising an army to invade England, in order to effect his majesty's restoration to his royal authority. On this agreement, the Long Parliament passed an ordinance that no man should thereafter make any application to him as king of England, under pain of treason, and sent peremptory orders to the governor of Carrisbrooke Castle, in the isle of Wight, to confine him more rigorously in prison; which he strictly obeyed, and denied him the attendance of his chaplains, whom the king said "for their function I reverence, and for their fidelity I have cause to love." In his reflections on this tyrannical deprivation, Charles says, "The truth is, I never needed or desired more the service and assistance of men judiciously pious and soberly devout. The solitude they have confined me unto adds the wilderness unto my temptations; for the company they obtrude upon me is more sad than any solitude can be. . . . To deny me the ghostly comfort of my chaplains seems a greater rigour and barbarity than is ever used by christians to the meanest prisoners and greatest malefactors; whom, though the justice of the law deprives of worldly comforts, yet the mercy of religion allows them the benefit of their clergy, as not aiming at once to destroy their bodies and to damn their souls. . . . Nor are the soberest of them [the puritan teachers], so apt for that devotional compliance and juncture of hearts which I desire to bear in those holy offices to be performed with me and for me. . . . I am so much a friend to all churchmen that have any thing in them beseeeming that

¹ Guthry's Memoirs, 207, 209.

sacred function, that I have hazarded my own interest chiefly upon conscience and constancy to maintain their rights : whom the more I looked upon as orphans, and under the sacrilegious eyes of many cruel and rapacious reformers, the more I thought it my duty to appear as a father and a patron for them and the church. . . . In devotions I love neither profane boldness nor pious nonsense ; but such an humble and judicious gravity as shews the speaker to be at once considerate of God's majesty, the church's honour, and his own vileness ; both knowing what things God allows him to ask, and in what manner it becomes a sinner to supplicate the divine mercy for himself and others. I am equally scandalized with all prayers that sound either imperiously, or rudely, or passionately ; as either wanting humility to God or charity to men, or respect to duty . . . so that I must needs seem to all equal minds with as much reason to prefer the service of my own chaplains before that of their ministers, as I do the liturgy before their directory. In the one I have been always educated and exercised ; in the other I am not yet catechised nor acquainted : and if I were, yet should I not by that as by any certain rule and canon of devotion, be able to follow or find out the indirect extravagances of most of those men who highly cry up that as a piece of rare composure and use, which is already as *much despised and disused*¹ by many of them, as the Common-Prayer sometime was by those men, a great part of whose piety hung upon that popular pin of railing against and condemning the government and liturgy of this church. . . . I was always bred to more modest, and I think more pious principles. . . . But this is not the first service (as I count it the best) [of being his own chaplain] in which they have forced me to serve myself : though I must confess I bear with more grief and impatience the want of my chaplains than of any other my servants, and next (if not beyond, in some things), to the being sequestered from my wife and children ; since from these, indeed, more of human and temporary affections, but from those more of heavenly and eternal improvements, may be expected. My comfort is, that in the enforced (not neglected) want of ordinary means, God is wont to afford extraordinary supplies of His gifts and graces. If His spirit will teach me, and help my infirmities in prayer, reading, and meditation (as I hope He will), I shall need no other either orator or instructor²."

IN THE BEGINNING of February, Loudon, the chancellor, and the other commissioners, arrived in Edinburgh ; and, at a

¹ Vide ante Dr. Twiss's speech, p. 188.

² Eikon Basilike, 119, 124.

meeting of the committee of estates on the 15th of the same month, Loudon laid before them the concessions to which they had compelled the king to accede. We assured his majesty, said the lord chancellor, that "the kingdom of Scotland had no other design, in their covenant-engagement with England, than the reformation and preservation of religion and did very instantly urge that his majesty would give them and the kingdom satisfaction; and if they should relinquish their covenant, break their treaties with Scotland, set up toleration of all religions, cast off the king, and change monarchical government, yet it would prove wisdom in his majesty to offer to settle a just peace, and satisfy the desires of Scotland especially concerning religion, which was the only best foundation of peace; and in so doing we were confident that the utmost endeavours and power of Scotland would be applied to restore his majesty to his just rights. And more particularly we pressed the confirming of the covenant, the establishment of presbyterian government, and that the king would not admit of a toleration of all the abominable heresies and horrid blasphemies now professed in England under the notion of religion. . . . Having taken the propositions [of the Long Parliament] into consideration, we found in them material alterations and essential differences from the former propositions; contrary to the ends of the covenant; destructive of religion, the king, and union of the two kingdoms; and, in the committee at Derby House, we desired that they would not give just cause of resentment to Scotland by slighting their desires and just interest; but no entreaty or persuasions of ours could prevail so far as to procure a meeting or conference. And when they had resolved to send their bills without so much as giving an answer to our desires, we gave in our answer to the propositions; . . . but they presented them without us, which forced us, in behalf of this kingdom, to enter our dissent. And finding clearly that the desire of the bills was to establish by law the power of the sword perpetually in the hands of that army of sectaries, and to bind the subjects by a law to maintain and pay them; and to adjourn the parliament to be moveable, and to go where the army pleaseth, without settling religion or restoring the king; but only upon the grant of these bills, they would admit a personal treaty with the king, upon the remainder of the propositions in the Isle of Wight: by which propositions they desire the establishment of toleration in place of uniformity, and breaking off that conjunction which by covenants and treaties was bound up between the two kingdoms;

we conceived that we had more than reason to try what length the king would come for the preservation and settlement of religion, and for his own and his kingdom's safety."

The lord chancellor then proceeded to show the concessions which they had wrung from the subdued monarch, and who had no means or power of evading or refusing them. "And we did more particularly insist that he would, by act of parliament, confirm the covenant, establish presbyterial government, and not admit that *impious toleration* of all religions, heresies, and sects, which are now so prevalent in England: and for matters civil, that his majesty would give such satisfaction as might settle and secure a just and lasting peace. And although we could not procure from his majesty the full length of your desires, nor our own concerning the enjoining of the covenant, and the full settling of presbyterial government for all times to come, yet we used all arguments which we could to obtain these. All his majesty would grant for the present is: for the covenant, his majesty—giving belief to the confessions of those who have entered into the League and Covenant, that their intentions are *real* for the preservation of his majesty's person and authority, according to their allegiance, and no way to diminish his power and greatness—is content, so soon as he can with freedom, honour, and safety, be present in a free parliament, to confirm the said League and Covenant by act of parliament of both kingdoms, for security of all those who have taken or shall take the said covenant, provided that none who are unwilling shall be constrained to take it. His majesty will likewise confirm, by act of parliament in England, presbyterial government, the directory for worship, and the Assembly of divines at Westminster, for three years, so that his majesty and his household be not hindered from using that form of divine service he hath formerly practised; and that a free debate and consultation be held with the divines at Westminster (twenty of his majesty's nomination being added to them), and with such as shall be sent from the church of Scotland, whereby it may be determined by his majesty and the two houses, how the church government, after the said three years, shall be fully established, as it is most agreeable to the word of God. And for suppressing of schism and heresies, his majesty is content and most willing, that an effectual course shall be taken by act of parliament, and all other ways needful and expedient, for suppressing the opinions or practices of antitrinitarians, arians, socinians, antiscripturists, independents, anabaptists, antinomians, arminians, familists, brownists, separatists, libertines, and seekers; and generally for suppressing

all blasphemy, heresy, schism, and all such scandalous doctrines or practices as are contrary to the light of nature, or to the known principles of christianity (whether concerning faith, worship, or christianity), or to the power of godliness, or which may be destructive to order and government or to the peace of the church and kingdom¹."

This treaty seems to have been equally insincere on both sides, and the terms to have been evidently extorted from the king by the pressure of circumstances. Lord Clarendon says "it was most scandalous and derogatory to the honour and interest of the English nation, and would have been abominated, if known and understood, by all men." In return for these unnatural concessions, "the Scots engaged to deliver his majesty from his present captivity, to assert his right to the militia, the great seal, the negative voice in parliament; and, as they said, to restore him to his throne with honour and freedom." These concessions were not, however, satisfactory to the commission of the kirk. They immediately sounded the alarm from the pulpits to the people; and sent Douglas, Dick, and Blair, and some others, to the committee, desiring that there might still be kept up a correspondence betwixt, what were now considered by the ministers co-ordinate powers, the commission of the kirk and the committee of the estates, that thereby religion might not sustain any damage. This message was well received by the committee, and it is not improbable that it had been suggested by Argyle in his capacity as a ruling elder, as he had begun to whisper his displeasure at the treaty with the king. Accordingly a sub-committee was formed, for the purpose of corresponding with the commission respecting the danger that was likely to accrue to religion and the crown.

As THE SCOTS PARLIAMENT was to meet on the 2d of March, the Long Parliament sent down the earls of Nottingham and Stamford, with some others, and Messrs. Hearle and Marshall, ministers, as a committee, to watch the motions of the Scots parliament, and report to the others. Mr. Hearle preached in Edinburgh on the 27th, and it was remarked that he ominously made no prayer for the king. In passing through Newcastle, Marshall preached before the king, and took for his text, Ezekiel xxi. 25—27,—“And thou, profane wicked king of Israel, whose day is come, when iniquity shall have an end, thus saith the Lord God: Remove the diadem and take off the crown: this shall not be the same: exalt him that is low, and abase him that is high.” These words he most audaciously

¹ Lord Chancellor Loudon's speech in the committee of estates, cited in Stevenson's Church and State, pp. 583-586.

and presumptuously applied to his sovereign lord, in his presence, from whose brows the presbyterian party had already torn the diadem, and that crown which had descended from the heptarchy on a long and an illustrious line of monarchs. It is, however, but justice to the godly brethren to say, that they prohibited all the ministers from allowing Marshall to preach; notwithstanding, George Gillespie did invite him to preach for him in the high church, on the 25th of March; but was censured for his disobedience¹.

The commission of the kirk decidedly disapproved of the concessions that had been extorted from his majesty by their own friends and agents at the Isle of Wight, and at last voted them highly unsatisfactory; yea, to the destruction of the covenant; and they published a declaration to that effect, with their reasons for condemning them. The committee of estates pretended to be much displeased, but their wrath being only simulated, it evaporated in talk. But, what was much more satisfactory, the English commissioners brought with them £100,000 of the arrears of the royal blood-money which was due to the Scots.

THE PARLIAMENT met on Thursday, March 2d, and the earl of Loudon, the chancellor, was elected president. The commission of the kirk now denounced the king's concessions as unsatisfactory to them, and deprecated any engagement to raise forces for his rescue, because those on whom it was proposed to confer the chief command "were men of *malignant* and ill-disposed principles to the covenanted reformation." Parliament received this declaration rather ungraciously, and desired that the commission would not publish it, until an answer to it had been prepared; but the commissioners told them flatly, that they could not be answerable for the trust committed to them by the kirk, if they either neglected or delayed to publish their declaration, and thereby give timely and faithful warning both to the parliament and the whole kingdom, in order to prevent a rupture with the kingdom of England. The commission of the kirk, therefore, made an act ordaining it to be read in all the kirks of the kingdom, and immediately sent it to all the presbyteries for that purpose. The commission found that the parliament was not so ready to make concessions as the king had been; for all they obtained was, that some of their number might be appointed to confer with the parliament respecting the declaration. This was complied with; but without any good effect; for the parliament gave orders for the surprisal and garri-soning of Berwick and Carlisle. The chancellor had been

¹ Guthrie's Memoirs, 212.

the chief of those who agreed to raise an army for the king's rescue; but upon this occasion he was the first to protest against it. This apostacy arose from a mistaken view which he took of his own personal interests; but upon being made to see that his *interest* would lie the contrary way, "he was so fully convinced that his compliance was contrary to his trust, that he acknowledged this before the commission of the church, and submitted to a public rebuke, and admonition to more steadiness, in the high church of Edinburgh!"¹

The jealousy the royalists felt at the double-dealing of the Hamiltons was much increased by the unanimity of purpose which appeared between them and the dictator Argyle. But, says Guthry, "for remedy hereof, and that it might appear to the world that there was a real division amongst them, nothing less must serve the turn than a combat betwixt the marquis of Argyle and the earl of Crawford-Lindsay, to be fought on Monday the 21st, at five of the clock of the morning, in the links of Stoneyhill; major James being Argyle's second, and Lanerk, Crawford's. They kept the appointment, and were an hour upon the place before any came to disturb them, so that they had leisure enough to have fought, if they had been willing. However, the intention of it gave such offence to the commission of the church, that the marquis of Argyle was obliged to *do penance* before them, because he had such an hostile mind; and Crawford was desired to do the like, but would not. This combat furnished us with sport for a time."²

It was proposed in parliament to issue a proclamation against the ministers' declaration; but as all their loyalty was merely on their lips, this proposal was allowed to drop. A committee was appointed, consisting of six of each of the nobility, the barons, and the burgesses, to decide upon the propriety or otherwise of declaring war for the rescue of the king. The commission of the kirk were mightily dissatisfied with the power given to that committee, and therefore some of the members were deputed to confer with the commission, who presented some articles of an oath which they desired that the parliament should take; viz.—

An oath of association for preserving the ends of the covenant, 1648.—1. *Inprimis*, concerning religion and the covenant, that except the king did first subscribe and swear to both covenants, it was not lawful for any to endeavour his restitution. 2. That popery and prelacy be *extirpated*, as also

¹ Guthry's Memoirs, 213, 214.—Stevenson's Church and State, 588.

² Memoirs, 214.

erastianism and all other sects. 3. *No communication with malignants* in any of the three kingdoms. 4. No negative voice to the king. 5. That these articles be added to his majesty's coronation oath, and to that of all his successors. 6. And lastly, that any that refuse this oath, be not capable of any charge, ecclesiastical or civil, *nor to enjoy their own fortunes*¹.

The commission were baffled in this attempt, and were obliged to withdraw their proposed oath, but on the 22d of March they returned to the attack, and made a demand of having eight articles or propositions admitted. They contain the usual cant about the covenant, and in the 4th, they say—"that if the popish, *prelatical*, or *malignant* party shall again rise in arms, this nation and their armies may be so far from joining or associating with them, as [because they are] enemies to this cause and covenant on the one hand, as well as [because they are] *sectaries* on the other. 5. Seeing your lordships' undertaking should be in the first place for religion, we desire that his majesty's late concessions and offers, concerning religion, as they have been by the church, so they may be by the parliament, declared *unsatisfactory*. 6. That your lordships may be pleased not to fix or settle any such state of a question as doth not contain security to be had from his majesty, by his solemn oath, under his hand and seal, that he shall for himself and successors consent and agree to the acts of parliament enjoining the League and Covenant, and fully establishing presbyterian government, the directory of worship, and confession of faith, in all his majesty's dominions: and that his majesty shall never make opposition to any of these, or endeavour any change thereof; and that this security be had from his majesty before his restitution to the royal power. 7. That for the security of religion, and for securing all the other ends of the covenant, such persons only may be entrusted by your lordships to be of your committees, as have given constant proof of their integrity and faithfulness in *this Cause*. 8. That there may be no engagement without a solemn oath, wherein the church may have the same interest which they had in the Solemn League and Covenant, the *Cause* being the same²."

On the receipt of these demands a new conference with the commission was appointed, but it never took place. On the 28th, the parliament sent formal answers to the propositions; and on the 29th the commission issued a paper representing

¹ Guthry's Memoirs, 217.

² Guthry's Memoirs.—Stevenson's Church and State, 588.

that the answer of the parliament was unsatisfactory, and in consequence there could be no agreement between the parties.

On the 26th of March, sir William Flemming arrived, who had been sent by the queen and the prince of Wales to ascertain how far the parliament were sincere in the assurances which their commissioners had given the king at the Isle of Wight, of their intention of engaging the nation to rise in his defence. In a few days an answer was returned by sir William, along with whom was sent that notorious traitor, "William Murray, of the bed-chamber;" a sure prognostication of treachery and deceit. His name was so odious among the royalists, that they augured no good to the king from such an unprincipled intriguer having thus gained a footing in the family of the prince of Wales.

The Scottish parliament was not entirely composed of bigoted covenanters, and there were some members in it who gave a more healthy and loyal tone to the whole at this time; and in a fit of remorse, but when too late, an attempt was made to rescue the king. But the influence of the loyalists was only sufficient to produce the desire, for the majority would only do it on their own covenanted system. After losing a great deal of time in fanatical debates, they at last resolved, on the 11th of April, to send the three following demands to the Long Parliament:—1st, That they would secure religion according to the covenant, and put in practice the directory for worship. 2d, That his majesty may be freed from his base imprisonment, and brought to any of his houses in or near London, and allowed to enjoy himself there in freedom, honour, and safety. 3d, To the end that all the members of parliament may freely and safely return and attend their charges, that the sectarian army, under the command of sir Thomas Fairfax, might be disbanded. Against all these articles the marquis of Argyle, the earl of Cassilis, sir Archibald Johnston, and some others, voted; but as the kirk took such a deep share in all political matters, these articles could not be passed without having been first submitted to the commission. Accordingly, a copy of the first article was sent to the meeting of that body, who returned for answer, that they were entirely dissatisfied with this demand, because it was defective:—1st, Because the taking of the covenant, and practising the directory, are pressed only upon the subjects, as exempting the king's majesty, not only from taking the covenant, (which yet was laudably desired in the propositions of both kingdoms,) but also from having the directory for worship practised in his own family. 2d, Because the demand containeth nothing of any application to be made

at or about the same time to the king, for obtaining assurance from his majesty for his royal consent thereto¹.

A COMMON and violent charge against the bishops was, that they had meddled too much in politics, although only some of them had given their advice as privy councillors: but now, however, their extirpators attempted to dictate to and to govern the parliament;—but times were changed, and men's minds were changed with them. "In the meantime," says Guthry, "the church continued very angry;" for it seems that the parliament, at one of their conferences with the commission of the kirk, had thrown out some reflections against the ministers, "as intermeddlers in the affairs of state." This gave deep offence to the heavenly-minded brethren, and they talked of it very freely, so that the report spread all over the country; and those provincial synods which were most under the influence of the covenanting brethren, convened simultaneously, and sent up addresses of thanks to the commission for their care and fidelity in *the cause*. At the same time the same synods sent strong remonstrances to the parliament, under the name of petitions, stating their desire that, "before engaging the kingdom in a war, they would seriously consider the matter, and labour to have religion secured;" and "that nothing might be done without the commission of the General Assembly." The earl of Leven, general David Leslie, and others, also sent in petitions to the same effect; which gave occasion to the loyalists to present petitions of a contrary tendency, to beseech the parliament to proceed in their endeavours to save the king, and offering to venture their own lives and fortunes in so good a cause².

The commission of the kirk having been refreshed with so much appearance of cordiality in the cause among the provincial synods, took new courage, and appeared briskly on the scene of action. On the 18th of April they again addressed the parliament in the shape of a petition, expressive of their discontent that so little respect had been shewn to the remonstrances of the synods, and of their desire that their wishes might be satisfied respecting the lawfulness of the intended war. This petition was remitted to a committee to consider what answer should be returned to it. On the 20th the parliament drew up a declaration or manifesto, in which they embodied some of the commission's suggestions; and, while it was under discussion, sir James Lockhart moved that it might be expressed in it,

¹ Guthry's Mem 218-19.—Stevenson's Church and State, 589. ² Ut supra.

"that we should unite with *none but such as took the covenant*." The duke of Hamilton and his brother moved as an amendment, "that we should unite with none that took up arms to oppose the covenant;" and yet, with their usual timidity and insincerity of purpose, they allowed the original words to stand. The marquis of Argyle and his adherents renewed their dissent, and required their protest to be recorded. It was now determined that the kingdom should be put in a posture of defence, and preparations made for war. This would have been sooner resolved on, had there not been a warm debate about the chief command of the forces. The two Leslies being Argyle's creatures, were opposed to the ENGAGEMENT, as this war was called; and, therefore, not only declined the chief command, but influenced several others to refuse it. The contest for the chief command, therefore, lay betwixt the duke of Hamilton and the earl of Callender. The latter was, of the two, the preferable man, and had gained some experience in the late rebellion; but the duke's blood being reddest, great interest was made that he might be appointed, although he had no other experience nor knowledge of war than having served in a subordinate capacity in one or two campaigns under the king of Sweden. The loyalists or malignants, as the covenanters called them, were exceedingly averse to the appointment of the duke on account of "late emergents; viz. 1st, His lingering so long in his resolutions. 2d, His comporting with the high carriage of the commissioners of the General Assembly; and, 3d, His vote *against* censuring the marquis of Argyle and his adherents for their protesting. These things being added to their former grounds of prejudice against the duke, made that as yet they could not consent harmoniously about the business¹."

The following is the declaration of war, or manifesto, published by the parliament:—

"WE, the estates of parliament, now convened in the first session of this second triennial parliament, finding the strong endeavours and attempts of disaffected persons and enemies of truth, to blast and obstruct our labours in the performance of our duties, in order to all our relations, by traducing and calumniating our proceedings, are therefore obliged to undeceive the abused people, to vindicate ourselves from all unjust aspersions, and to clear and [give] evidence to this kingdom of our

¹ Guthry's Memoirs, 219, 220.

constancy and firmness to the cause of God, which we now find in as great (if not greater) danger than it ever was in since the beginning of all the late troubles.

“Upon the growing divisions betwixt his majesty and his two houses of the parliament of England, this kingdom did, for the space of near two years, by reiterated petitions and messages, offer their services and endeavours for composing and removing these dissensions and differences; but their desires therein, through the counsels and practices of their common enemies, were still made ineffectual and disappointed, until at length many thousands of either side were fallen by the fury and rage of a cruel and unnatural sword, and the flourishing kingdom of England turned into a *field of blood*. And while they were thus, with their own hands, tearing out their own bowels and massacring themselves, the houses of parliament, then in a very low condition, invited this kingdom to their assistance: who, finding their petitions and addresses to his majesty for a more natural and amicable decision of differences than by the sword, rejected, and justly apprehending to have the dregs of that bitter cup, which overflowed in England, poured out upon their own head, if those counsels and advices which first gave life and motion to these dissensions should still be prevalent, did engage in a solemn league and covenant for reformation and defence of religion, the honour and happiness of the king, and peace and safety of the three kingdoms. In pursuance thereof, this kingdom joined in arms with their brethren in England; and for divers years, through many hazards and wants, did prosecute their ends, until, by the blessing of God upon their endeavours, *their common enemies* were subdued, and most of them brought to such condign punishment as the respective parliaments thought fit. Thereafter our army returned home, upon assurances from the two houses that the treaties and covenant should be inviolably kept; but, on the contrary, we find that there is not an article of the solemn league and covenant which has not been sinfully and dangerously violated before God, angels, and men, by the prevalent party of sectaries and their adherents, nay, the covenant itself like to be destroyed, or at least forgot and laid aside; for where we expected that, according to the first article in the treaty betwixt the kingdoms in the year 1643, it should have been taken by both kingdoms, and that the not-takers thereof are, by the joint declaration of both, declared public enemies to religion and the country, and are to be punished as professed adversaries and malignants, we now find, by the prevalent parties of sectaries and their adherents, it is not only laid aside in

the new propositions lately sent to his majesty to the Isle of Wight, and no execution of public orders for taking it through the country, but also many persons of eminent and public trusts, in the army and elsewhere, have never taken it, neither are urged thereunto. Instead of reformation and defence of religion, that reformation which, by the covenant, ought to be endeavoured, is resisted and hindered, heresy and schism tolerated; under which most horrid blasphemies are sheltered and protected, if not openly professed and allowed. Instead of maintaining the rights and privileges of parliament, the houses have been highly disobeyed and threatened. Those who, by the covenant, ought to be brought to condign trial and punishment for hindering the reformation of religion, dividing the king from his people, or any of the kingdoms from another, or making any faction or party amongst the people, contrary to the league and covenant, have been protected and assisted, and those persecuted who, by the covenant, ought to be defended. Instead of a firm union and peace betwixt the kingdoms, a breach hath been endeavoured. And whereas both kingdoms, by the solemn league and covenant, are obliged to preserve his majesty's person and authority, in the preservation and defence of the true religion and liberties of the kingdoms, that the world may bear witness with our consciences of our loyalty, and that we have no thoughts nor intentions to diminish his majesty's just power and greatness; and the kingdom of Scotland having also, upon his majesty's going from Newcastle, declared against all injury, harm, prejudice, or violence, to be done to his royal person, yet, by a sudden surprisal, his majesty was suddenly seized on, and carried from his house at Holmby, against his own will, and the declared resolution of both kingdoms, by a party of the army under sir Thomas Fairfax; and by that army thereafter carried about from place to place at their pleasure, kept and environed with strong guards within their quarters, until he was forced, for safety of his life, to flee from Hampton Court, as he himself declared in his message from thence; and by the power and prevalency of that army and their adherents he is kept a close prisoner in the Isle of Wight, and votes passed declaring it high treason to make any farther application to him, or to receive any messages or letters from him; yea, even to that extremity are they already gone against him, that it is declared they will repose no further trust in him. Likeas not only such as had warrants for access to him from the parliament of this kingdom are debarred thereof, notwithstanding of the engagement of the houses 27th January, 1647, to the contrary, but the earl of Lauderdale, a public minister of this

kingdom, contrary to the law of nations, was violently removed from Woburn, where his majesty then was, and not suffered to have access to him; and though reparation therein was desired by the committee of estates, yet none was given. And when the said commissioners desired to know whether the votes against all applications to the king did extend to his majesty's subjects in Scotland, to debar such as are warranted, by the parliament of this kingdom or their committees, free access or intercourse with his majesty, or that he should be hindered from, and so made incapable of, any act of government in relation to the affairs of Scotland, no answer at all was returned thereto, until the commissioners from both houses now residing here did, in March last, give us a large declaration from them, claiming the sole power of disposing of the person of the king in England. We do not conceive it fit at this time to insist upon any violation made of the large treaty concerning the remainder of the money due upon the brotherly assistance, nor of the treaty for the army in Ireland, for whose service there was due, in anno 1643, by a subscribed account, £312,000 sterling, (though we can never part from the interest of that army till they be justly satisfied for their long and faithful services); for as money neither was the cause nor motive to any of our undertakings or resolutions, whatever hath been falsely suggested by our enemies, so we shall not value it so much as now to mention it among the causes and grounds of our proceedings at this time.

"By the large treaty betwixt the kingdoms of Scotland and England, it is provided, that if any armies be levied in any of the kingdoms, and the neighbour kingdom be thereby harmed or wronged, that then the estates of the country by which it is done shall be obliged to pursue, take, and punish the offenders with all rigour. The kingdom of Scotland hath several times desired the performance of this article; and, in particular, the parliament of Scotland, upon the 16th of January, 1647, to which the houses, in their letter of the 27th of January, engaged themselves to the parliament of Scotland, that the English garrisons being delivered up, and the Scots army marched out of England, they should take that desire into speedy consideration. Upon the 16th July, 1647, the Scots commissioners desired performance thereof; but, through the prevalency and power of the sectaries, no reparation, satisfaction, or answer was given.

"And although, by the eighth article of the treaty 1643, it is agreed, that no cessations, pacifications, nor agreement for peace whatsoever, should be made by either kingdom, or the

armies of either kingdom, without mutual advice and consent of both kingdoms,—which engagement the houses of parliament also repeated in their letter of the 17th January, 1647, to observe that article after the removal of our army out of England,—yet, contrary thereunto, the army of sectaries and their adherents framed proposals destructive to the ends of the covenant, which were presented to his majesty without the advice or consent of the kingdom of Scotland. And thereafter, by their power and prevalency, the houses of parliament have laid aside the propositions agreed on by both kingdoms, and have, contrary to the treaty, presented propositions and bills to his majesty; against which the commissioners of this kingdom, by order and according to their instructions, did protest, as being destructive to religion, the crown, and union of the kingdoms.

“These dangers, so imminently threatening religion and government, call upon us as christians, as subjects, as Scotsmen, in duty to God, our king, and country, and to our oppressed and heavily afflicted brethren in England, who are faithful and constant to the cause of God. We have therefore resolved, in the first place, to endeavour and essay all brotherly and amicable means of repairing and making up such differences or breaches as may otherwise necessitate this kingdom to engage in a war; and, therefore, we do intend to send to the honourable houses of parliament in England these following necessary and just desires for religion, his majesty, and the good and peace of these kingdoms:—

“1.—That an effectual course may be taken by the houses, for enjoining the covenant to be taken by all the subjects of the crown of England, conform to the first article of the treaty, and conform to the declaration of both kingdoms, anno 1643; by which all who would not take the covenant were declared to be public enemies to religion and the country, and that they are to be censured and punished as professed adversaries and malignants; and that reformation of, and uniformity in religion be settled according to the covenant; that as the houses of parliament have agreed to the directory of worship, so they would take a real course for the practising thereof by all the subjects of England and Ireland; that the confession of faith, transmitted from the assembly of divines at Westminster to the houses, be approved; and that the presbyterial government, with the subordination of the lower assemblies to the higher, be settled and fully established in England and Ireland; and that an effectual course be taken for suppressing and extirpating all heresies and schisms, particularly socinianism, armi-

nianism, erastianism, familism, brownism, and independency, and for perfecting what is farther to be done for *extirpating* popery and *prelacy*, and suppressing the practice of the Service-book, commonly called the book of English Common Prayer.

"2.—That, conform to the former desires of this kingdom, the king's majesty may come with honour, freedom, and safety, to some of his houses in or near London, that the parliaments of both kingdoms may make their applications to him, for obtaining his royal assent to such desires as shall be by them presented to him, for establishing religion as is above expressed, and settling a well-grounded peace.

"3.—And, to that end, that all members, of both houses, who have been faithful to this cause, may freely and safely return and attend to their charges; the city of London may enjoy the liberties and privileges which it had before the late encroachments of the army; the parliament may sit and vote with freedom and safety; both kingdoms, without interruption or disturbance, may make their application to his majesty, and the settling of religion and peace may be no longer hindered or obstructed; that the present army of sectaries, under the command of Thomas, lord Fairfax, be disbanded, and none employed but such as have taken or shall take the covenant, and are well affected to religion and government,—excepting from the said disbanding the garrisons necessary to be kept up by the parliament of England for the safety of that kingdom, which are desired to be commanded by such as have taken or shall take the covenant, and are well affected to religion and government as aforesaid.

"We will not doubt, but that the honourable houses will seriously weigh and consider how necessary and just these our demands are, to which we expect a satisfactory answer; but if, through the influence and power of the army of sectaries that now environs them, these our desires be slighted and neglected, yet we resolve, by God's assistance, in all our proceedings, never to break on our part the union betwixt the kingdoms, nor to encroach upon the national rights of the subjects of England, or entrench upon their just liberties; much less is it our intention at all to make a national engagement against the parliament and kingdom of England, but for them whose freedom, privilege, and happiness, shall ever be as dear to us as our own. And if we shall be necessitated to any undertaking in a war, we do resolve that as the engagements of this kingdom have been constantly hitherto for settling truth and peace under his majesty's government, so they shall still be for obtaining the same ends. And we will be careful that in

the managing and carrying on of so pious and dutiful a work, we shall not enter into an association and conjunction of forces with those who shall refuse to swear and subscribe to the Solemn League and Covenant, nor use such means or instruments as may discourage or disoblige the presbyterians in England, who continue firm to the Solemn League and Covenant. And then we will be so far from joining or associating ourselves with the popish, *prelatical*, or *malignant* party, if they shall again rise in arms, either to oppose or obstruct all or any of the ends of the covenant, that on the contrary we will oppose and endeavour to suppress them, as enemies to *the Cause* and covenant on the one hand, as well as sectaries on the other. And we further declare, that we will give trust in our armies and committees to none but such as are of known integrity, abilities, and faithfulness, to this cause and covenant, and against whom there is no just cause of exception. And as we shall endeavour the rescuing of his majesty from those who violently carried him away from Holmby, and by whose power he is still detained close prisoner, that he may come with honour, freedom, and safety, to some of his houses in or near to London, where both kingdoms may make their applications to him for settling religion and a well-grounded peace; so we resolve, *not to put* in his majesty's hands, or any others' whatsoever, *any such power* whereby the aforesaid ends of the covenant, or any one of them, may be obstructed or opposed, or religion or presbyterian government endangered; but on the contrary, before any agreement or condition be made with his majesty (having found his late concessions and offers concerning religion not satisfactory), that he give assurance, by his solemn oath under his hand and seal, that he shall, for himself and his successors, give his royal assent, and agree to such act or acts of parliament and bills as shall be presented to him by his parliament of both or either kingdoms respectively, for enjoining the League and Covenant, and fully establishing presbyterian government, Directory of worship, and Confession of Faith, in all his majesty's dominions; and that his majesty shall never make any opposition to any of these, nor endeavour any change thereof. And further, to show and evidence the candour and reality of our intentions, we are willing to subjoin to the grounds of our undertakings an oath, wherein both in the framing thereof and otherwise we are willing that the church shall have their due interest as formerly in the like cases.

“And albeit we are resolved not to engage in any war before the necessity and lawfulness thereof be cleared, so as all who

are well affected may be satisfied therewith, and that reparation to such breaches and injuries as are or shall be condescended on, shall be demanded in such a just and fit way, as shall be found most lawful and expedient; yet we cannot be answerable to the great trust laid upon us, if, seeing so imminent and great dangers to all that is dearest to us, we did not make use of our authority and power for the common safety of this kingdom; and therefore we have resolved to put this kingdom presently in a posture of defence, as it was anno 1643.

“And now, as many of the dangers, with the grounds and resolutions in pursuance of our duties, are hereby made known to this kingdom, so we are assured, that all and every one who have any zeal to religion, love to monarchical government, sense of the sufferings and imprisonment of their king, affection to their oppressed brethren in England, or desire to preserve the privileges of parliament and liberty of the subject, will cheerfully in such an exigence, while the eyes of all christendom are on us, rouse up themselves, and contribute their best endeavours, as they shall be required by us, in pursuance of all the ends of the covenant, as well for religion as for his majesty's person and government, and privileges of parliament; in doing whereof we shall witness to the world that we have not swerved from these our first principles, contained in our national covenant, and in our Solemn League and Covenant; whereby we did solemnly swear and promise, before God and his angels, to endeavour, in our several places and callings, the reformation of, and uniformity in, religion and church government, in all his majesty's dominions, according to the word of God and the example of the best reformed churches; and not only to the utmost of our power with our means and lives to stand to the defence of our dread sovereign, his person and authority, in the preservation of the true religion and liberties of the kingdom, but also in every cause which may concern his majesty's honour, to concur according to the laws of the kingdom and duty of good subjects; and also give a singular proof of the good intentions of all that maintain presbyterial government, that they are not enemies to monarchy, as they are falsely branded by their enemies. And in particular this kingdom of Scotland will now make it evident, as they often declared, that their quietness, stability, and happiness, doth depend upon the safety of the king's majesty's person, and maintenance of his greatness and royal authority, who is God's vicegerent set over us for maintenance of religion and ministration of justice; having so many bands and ties of duty and subjection to his majesty and his government, who is our native king, from a

longer series and descent of his royal progenitors than can be paralleled in Europe, that we resolve closely and constantly to adhere thereunto, as also to all the ends of the covenant.

“(Signed) ALEXANDER GIBSON, *Clerk Register*¹.”

THE “ACT OF POSTURE,” as the above declaration of war was called, was passed on the 28th of April, and the committee of estates despatched colonel Marshall to the Long Parliament with a remonstrance against their breaches of the covenant, with orders to remain in London only ten days, whether he should receive an answer to his message or not. Sir Marmaduke Langdale took possession of Berwick, and Carlisle was surrendered to sir Philip Musgrave, the inhabitants of both these towns being favourable to the Scots. On May 3d, the Scots parliament voted an army to be raised, consisting of 30,000 foot and 6000 horse, and the recal of major-general Monro from Ireland. Upon the 10th of May, the duke of Hamilton was appointed commander-in-chief of this army; the earl of Callender, lieutenant-general; Middleton, general of the cavalry; and Baillie, lieutenant-general of the infantry².

After these appointments, an act was passed strictly prohibiting any one from speaking against the procedure of parliament. Nevertheless, Argyle did speak against this levy and engagement for the relief of the king, and his adherents concurred with him in renewing their dissent from the measure, with more vehemence than before. The commission of the kirk also expressed their extreme dislike to the Engagement, and solemnly protested against the whole of the late resolution and declaration. They sent copies of their protest to the several presbyteries, with an order to observe a strict and solemn fast on the last *Sunday* in May, in deprecation of the divine wrath for having engaged to relieve the king, and thereby to give countenance and assistance to malignants. All which, says Guthry, “was represented in parliament; yet such was the duke’s clemency and his brother’s, that they would suffer nothing to be said to them, which made the *jealousy* which many had harboured against them to increase more and more³.” Although the lord chancellor Loudon had been one of the three commissioners who had inveigled the king into his present snare, yet, terrified with the menaces and denunciations of the commission, he threw off all respect for his suffering sovereign and his own engagements, and joined the party of the dictator and the commission of the kirk in their opposition to *the Engagement*, and

¹ Stevenson’s Church and State.

² Guthry’s Memoirs, 221.

³ Ibid. 221.

even submitted to do public penance in the high church, for what was called his former sinful carnal self-seeking, and compliance with the times. The earls of Eglinton, Cassilis, and Lothian, the lords Balmerino and Burleigh, joined Argyle in the most active opposition to the levies; but the rescue of their sovereign bore the stamp of a national work, and men of all parties cordially united in forwarding the levying of troops; so that the Argyle faction were unable to check the rush of patriotic feeling which then prevailed¹.

THE COMMISSION OF THE KIRK threatened the episcopalians with damnation, and made the most energetic efforts to impede the efforts of the loyalists and of those of their own party, whose hearts had been touched with a feeling of late repentance for former miscarriages, and were now, when too late, tardily endeavouring to recover their lost ground. Being dissatisfied with the declaration which had been emitted by the parliament, the commission presented a new representation, in which they shewed—1st, “That though there is much said of England’s breach of covenant, yet they desire it may not be charged on all in England, and not on sectarians only, but also on *malignants* here as well as on sectaries in England; for as the sectaries endeavour a breach in England, so *malignants* here endeavour a breach betwixt the kingdoms. 2d. That they are very sensible of the attempts, injuries, and violence of the sectaries against his majesty’s royal person, and the hard condition that he is reduced to by their means; and as their prayers and endeavours have not, so shall not their efforts be wanting for the preservation of his majesty’s person and authority, &c. . . . 4th . . . as to the next demand, that the king’s majesty may come to some of his houses, in or near London, with honour, &c., they answer,—that albeit they would not be understood as if they have had or now have any thoughts of declining to restore his majesty to the same condition he was in by the agreement of both kingdoms, when he was taken away by a party of sir Thomas Fairfax’s army, that both kingdoms may make their applications to him; yet they desired that there might be no engagement by war for restoring of his majesty to one of his houses, &c. (which doth amount to no less than the restitution of his majesty to the exercise of his royal power) before security and assurance be had from his majesty by his solemn oath, under his hand and seal, that he shall for himself and his successors consent and agree to acts of parliament enjoining the League and Covenant, and fully establishing presbyte-

¹ Skinner’s Ecclesiastical History, ii. 403.

rian government, the Directory for worship, and the Confession of Faith, in *all* his majesty's dominions; and that his majesty *shall never make any opposition* to any of these, or endeavour any change thereof, that so *no such power* may be put in his majesty's hands as may bring the bygone proceedings of both kingdoms in the matter of the League and Covenant into question . . . As to the third demand, that the present army of sectaries may be disbanded, they answer,—They think indeed no persons *fit to be employed* or entrusted in the armies of either kingdom who have not taken the covenant; and that all sectaries in arms in England should be disbanded and disarmed. So likewise, they conceive reason to foresee and provide against the danger of the rising again of the popish, *prelatical*, and *malignant* party in arms; and the rather because some in Wales and Ireland, actually in arms, have discovered and declared their principles and ends to be *very malignant*. Also we fear, that your present resolutions and proceedings are not the way to further, but to retard and hinder, the disbanding of the present army in England, and to frustrate the ends of your declaration¹."

The above representation, however, made no impression, and, without any hesitation, the parliament sent their demands to England, and published their Declaration at home. This was no sooner done than the commission of the kirk met and issued a counter declaration, in which they expressed their regret that the parliament had sent their demands to England without having consulted the commission; and declared that "they were ready to consent and agree to enter into a war if they were satisfied in their consciences concerning the grounds on which it was undertaken;" but, they add, "we not being satisfied in these, and looking on the war as it is now stated,—matters standing as they do,—and the whole complex business taken together, we cannot but plainly dissent and differ from the same; being persuaded in our consciences that it is an engagement of most dangerous consequence to the true reformed religion, both in doctrine, discipline, worship, and government—prejudicial to the true interest and liberty of the kirk—favourable to the popish, prelatical, and malignant party—inconsistent with the union of the kingdoms, and the satisfaction of the presbyterian party in England: and *therefore* contrary to the word of God—to the solemn covenants—*first principles* and public professions of this kirk and kingdom; whereupon we cannot expect a blessing from God²."

¹ Stevenson's Church and State, 594, 595.

² Ibid. 595.

The parliament were much displeased with this interference of the commission in politics ; and although they dared not quarrel with them, yet, on the 11th of May, they sent a circular letter to the presbyteries, complaining that the commission had gone beyond their legitimate bounds in thus censuring their public acts. But, not to be outdone by the parliament, the commission published a vindication of their own conduct in thus asserting their own privilege to censure the government in matters which related to religion and the covenant ; thus affecting to act on the same principle that made the Jewish high-priest supreme judge, in the place of God, between the princes of the tribes of Israel, in all civil matters which were too difficult for them to decide. Several of the synods and presbyteries, in the presbyterian districts, also remonstrated with the parliament respecting the covenant, and the security of religion. These acts irritated the parliament, and they drew up a rough draft of an answer to the commission ; but that was laid aside, and a deputation was sent to the commission desiring them to tender their advice respecting the security of religion. With this the commission complied ; and, as Argyre was a *ruling*-elder in it, as well as a *dictator* in the state, he worked the commission effectually for his own ends. On the 10th of June, accordingly, they presented the following petition, and again invoked the Searcher of all hearts to witness their sincerity and their zeal for His glory ; and, after a considerable preamble, they said, —

“ It is therefore our humble advice, that the above-mentioned petitions, [of the commission, the synods, and presbyteries,] being so just in themselves, and flowing from the grounds aforesaid, as they ought in equity to have been granted, so they ought yet to be granted, by the securing religion, *staying the present levy*, and essaying treaties with England, applications to his majesty, and all other fair and amicable ways for removing the differences between the kingdoms, before sending any forces to England, or any other way of engagement in war. And lest the taking of Berwick and Carlisle (which is so scandalous to this nation,) be looked upon by England as a breach of union on your part, that your lordships would be pleased to make it appear, that neither the parliament nor any of your number have had any accession to the surprisal or supplying of these towns, nor shall have any correspondence or compliance with those who have been actors therein, we do also conceive it necessary, for satisfaction of the petitioners, that his majesty's late concessions and offers concerning religion may, by your lordships, directly and positively be declared

unsatisfactory to this present parliament. That albeit we should not be misunderstood, as if we have had any thoughts of declining to restore his majesty to the same condition he was in, by the agreement of both kingdoms, when he was taken away by a party of the army under sir Thomas Fairfax, that both kingdoms may make their applications to him, yet your lordships would be pleased to declare, that there shall be no engagement for restoring his majesty to one of his houses with honour, freedom, and safety, (which doth amount to no less than the restitution of his majesty to the exercise of his royal power, . . .) before security and assurance be had from his majesty, by his solemn oath under his hand and seal, that he shall, for himself and his successors, consent and agree to acts of parliament enjoining the league and covenant, and fully establishing presbyterian government, the directory for worship, and confession of faith, in all his majesty's dominions, and that his majesty shall never make opposition to any of these, or endeavour any change thereof.

"That your lordships will make it appear, that you intend to be far from interesting yourselves in any quarrel for his majesty, that may put in his majesty's hands such power as may not only bring the bygone proceedings of both kingdoms in the league and covenant in question, but also, for the time to come, make void all the authority of parliaments, though proceeding never so rightly in reference to the religion and liberties of the kingdom. That a clear and correct course may be laid down and declared, not only against associating or joining in councils or forces with the popish, prelatical, or malignant party, but also to oppose, and effectually endeavour to suppress, all such of them as have already risen or shall hereafter rise in arms, upon whatsoever pretext, as enemies to the Cause and Covenant on the one hand, as well as sectaries on the other. That nothing be done, in carrying on the Engagement, which may break the union of the kingdoms, or may disoblige the presbyterian party in England. . . . That there be no Engagement without a solemn oath, wherein the church may have the same interest which they had in the solemn league and covenant, the Cause being the same."

As soon as the parliament rose, those who had opposed the levies went to their several homes, and used all their efforts to obstruct the raising of troops; and the marquis of Argyle entered into a secret correspondence with Cromwell, "to desire him to send a party to Scotland with which the opposers of the Engagement might join, for making a division." This was represented in the committee of estates as worthy of notice;

but the duke made light of it, there being, he said, no cause of fear: an unaccountable line of conduct, and which carries the appearance of collusion between the dictator and the commander of the forces. No censure was inflicted, and the duke retired to Hamilton to arrange his private affairs¹. Hamilton and his brother Lanerk are accused of having abused the king's confidence, and of having directly disobeyed his orders in authorising the meeting of this convention; and his collusion with Argyle seems indisputable².

ARGYLE CROSSED over the Firth to Fife, to persuade the gentry there, "not only to stand out [against the levy], but to be in readiness to rise upon the other account, whenever the call should be given." He met with complete success in that county. He was not so well received in Stirlingshire, where they were more favourable to the Engagement; but at Glasgow and Dumbartonshire he was successful in preventing the levies. The Edinburgh women began again to shew that riotous conduct to which they were secretly drilled by Argyle's agents; and they assaulted the lord provost and the members of the committee of estates. On the 1st of June, they attacked the duke himself, on his return from Hamilton, with stones and rubbish, one Mrs. Kelty being their ringleader, who concealed herself, but her husband was imprisoned till she should be produced. The effects of Argyle's intrigues now appeared, in petitions to the committee against the Engagement, from Fife and the western counties, which were rejected; and the committee presented their declaration to the commission, which highly incensed them, because they greatly doubted the sincerity of their professions. Their suspicions, they said, were grounded on the circumstance that many known *malignants*, and men disaffected to the covenant, were now the principal officers in this expedition, which they construed into a design to replace the king's friends in power, and to depress the covenanters³. The brethren, therefore, became more active and violent. They removed the earl of Crawford from the commission, where he had sat for some time as a ruling-elder, on the pretence that he had not done penance for his intended combat with Argyle. The commission refused to treat farther with the parliament, and sent an act into the several presbyteries, commanding all the ministers to preach *against* the "*unlawful*" Engagement, under pain of deposition. As soon as this was known the parliament issued a contrary order, which was obeyed by all the

¹ Guthry's Memoirs, 223.—Stevenson's Church and State, 506-509.

² Intercepted Letter, p. 20.

³ Stevenson's Church and State, 600.

episcopal clergy; but the presbyterian ministers followed the orders of the commission, "because they knew *they were in earnest*; but as for the parliament, they knew not well what they meant. And, indeed, when such as did not obey the commission came afterwards to be prosecuted for it, they found little sympathy from the parliament-men¹."

So ACTIVE and persevering had the presbyterian ministers been in the west of Scotland, that their partisans began "to draw to a head" in order to oppose the Engagement with arms; and the forces destined for the king's rescue were sent to Glasgow to repress the rising. During Argyle's absence the duke was all-powerful in the parliament; but he quashed a motion which was made to censure Argyle for his late trafficking against the Engagement, and for holding treasonable correspondence with Cromwell. The marquis of Huntly had remained ever since his capture in the common jail of the city; and, although the duke was frequently importuned for his release, yet all that could be obtained was an exchange of prisons, from the jail to the castle. The severity practised towards this nobleman shews the real enmity which the duke entertained towards the king, and his desire to gratify the revenge of Argyle and his faction. The parliament appointed the next to be holden in March, 1650, and they selected a grand committee to govern in the interval, with plenary power in all emergencies, and with power to call a parliament *pro re nata* before the appointed time, if they should see cause; nine of the committee at home were to be a quorum, and seven of those who attended the army, and the two committees were to correspond. "In relation," says Guthry, "to this model of the committee of estates, one thing was remarked by those who were possessed with prejudice against the duke; and it was, that his grace would needs have the marquis of Argyle and his adherents nominated members of the committee, notwithstanding they had openly deserted the parliament, and were actually employed in stirring up *disobedience* thereto. This, with many former things that now (at the close of the parliament) the jealousy which royalists had of the duke, began to increase, and grew more universal than at the first sitting down thereof²."

Under pretence of a sacramental Occasion, the presbyterians "drew to a head" at Mauchline, in Ayrshire, on the 12th of June, under the command of their ministers, William Adair, William Guthrie, Gabriel Maxwell, and John Nevay, who had instigated the massacres of the royalists, or malignants as they

¹ Guthry's Memoirs, 226.

² Ibid. 228.

called them, at Philipshaugh and Dunaverte. The presbyterian *communicants* consisted of 2000 foot and 200 horse, well posted, and who offered battle to Middleton, because "the duke of Hamilton's unlawful Engagement of war against England was a manifest breach of the solemn league and covenant¹." Among the insurgents were 600 of the duke of Hamilton's own tenants, and they were the most violent of the party; but Middleton charged them, and put the whole to the rout, with the loss of eighty killed, and a great many taken prisoners, among whom were the ministers, but they were liberated at the instance of the duke of Hamilton. This defeat prevented general Lambert from advancing farther than Carlisle, which city he had reached in order to co-operate with Argyle's party that were opposed to the "duke's engagement;" but on hearing of the dissipation of Argyle's covenanters he immediately retreated. This skirmish with the military *communicants* of the fighting church is represented as an act of great profaneness and malignancy; but there were gatherings of all the western covenanters under the pretence of holding communions, which were dissipated in detail by Middleton, particularly at Carsphairn or Kersfern; where, it is said, "the soldiers profaned the holy communion-elements, eating the bread and drinking the wine. On which occasion the minister went up to a hill and prayed; and being inquired at, by some of his familiars, what answer he had got to his prayers, he replied, that he fought neither with small nor great, but with the duke himself, whom he never left until he was beheaded;—which was too sadly verified²."

THE TRANSACTIONS which have been detailed in this chapter clearly show the character of the presbyterian principles, and the obligations of the covenant as explicated by their public proceedings: they consistently shewed their faith by their works, their love of God by their hatred and persecution of His servants, their loyalty and affection for the king, of which they were for ever boasting, by beheading his faithful nobles and officers, massacring his defenceless soldiers in cold blood, and taking every means in their power to prevent the rescue of his person from that death to which their master, Argyle, had consented. We have the divine word that the church is certainly *militant* here on earth, and the christian course is compared to the life of a good soldier; but her warfare is with far different parties, and with other weapons than the covenant put into the hands of its supporters. Prayers and tears are the church's

¹ Scots Worthies, Life of Nevay, 288. ² Stevenson's Church and State, 608

arms ; but the sword and the dagger were the covenant's weapons. And I put it to the conscience of any reasonable presbyterian to decide which species of armour is most consistent with the religion of Christ, the gospel of his apostles, and with our duties as good soldiers and servants of the Author of our salvation. Whence come wars and fightings among christians, but from pride and disobedience to the ordinances of God ? But civil and ecclesiastic government are two of his most sacred institutions, both of which were despised and overturned by the rebellious principles of the covenant ; therefore it cannot be a christian covenant. The soldier of the faith is commanded to gird up his loins with truth, to put on the breast-plate of righteousness, to shoe his feet with the preparation of the gospel of peace, to take the shield of faith and obedience, the helmet of salvation, and the sword of the spirit or the word of God ; but the soldier of the covenant girt his loins with bandoliers, put on the breast-plate of hypocrisy, shod his feet with boots and spurs, took the shield of rebellion, the helmet of self-righteousness, and the sword of steel ; therefore the arms of the covenant were not the christian's armour. They made the most unbounded pretensions of loyalty to the sovereign, and of godliness and allegiance to " King Jesus," of whose whole mind, they alleged, they were in perfect and infallible possession ; yet in one of their acts of Assembly they assert, " though our Saviour told his disciples that his kingdom was not of this world, and that, therefore, they ought not to fight for Him ; yet that doctrine does *not now oblige covenanted* christians, for they *may fight* without, yea and *against* the consent of the supreme magistrate, *for the cause of God* ; and a probable capacity to *effectuate their designs, is the call of God to do it.*" Therefore this decision is as *antichristian* as the famous *non obstanti* of the council of Constance, respecting the Eucharistic cup, to which the language of the Assembly bears a very striking resemblance—a family likeness,—“ though Christ *did* institute in both kinds, and the primitive church *did* so administer, yet we desire the *contrary* to be observed.”

THOUSANDS of worthy presbyterians of the present day never heard of, and will not believe, the atrocities committed by their forefathers, and have not consented to their sins, nor bound them on their own souls, by wishing them God speed ; and thousands of them will doubtless come and sit down with Abraham, and Isaac, and Jacob, in the kingdom of heaven, when the children of the kingdom may be cast out into outer darkness. It is, therefore, my heart's desire and prayer that such hidden seed of God's people should come out of the kirk, and partake no longer

of her sins of schism and division, and which, by a retributive justice, have been her own punishment, from the Glasgow Assembly to the present hour. Though the prophet's sight was shortened, yet the Searcher of hearts saw seven thousand true Israelites who had not bowed the knee to Baal; the same omniscient Being has "*much people*" among the presbyterians, who would hail with joy the haven of rest in the church, were the veil of delusion under which they labour removed from their hearts. May the "strong delusion" be withdrawn from the people, and may the spirit of schism be removed from their unsent prophets, and a zeal of God according to knowledge be amply vouchsafed to them, that they may become one fold under one shepherd—that Great Shepherd of the sheep, the Shepherd and Bishop of souls!

CHAPTER XXI.

GENERAL ASSEMBLIES.

PRESBYTERY, THE SOLEMN LEAGUE AND COVENANT, AND THE GRAND
REBELLION.

1648.—A General Assembly.—Letter from the synod of divines.—Collision between the commission and the committee.—Assembly ratifies and approves of the opposition to the “Engagement”—their answer respecting securities for religion.—The committee’s ironical reply.—Assembly’s declaration—another against the “Engagement.”—Assembly’s letter to the king—Remarks.—Catechism authorised.—Smaller transactions.—Three riding committees appointed.—Deposition of the episcopal clergy.—Military stores sent by the prince secured.—The duke’s army begin their march—routed by Cromwell—duke made prisoner.—London raises troops.—Movements of the Scottish army.—Cromwell comes northward—arrives at Edinburgh—conferences betwixt him, Argyle, and the ministers.—Lambert left in Scotland.—Cromwell’s proceedings at London.—1649.—Parliament.—Commissioners at London—their instructions.—ACT OF CLASSES.

1648.—THE GENERAL ASSEMBLY sat down on the 12th of July, and George Gillespie, one of the ministers of Edinburgh, was chosen moderator¹. In their first session, the Assembly received a letter from the synod of divines in England, setting forth their own determination to maintain the Solemn League and Covenant, and exhorting their “right honourable, right reverend, and dearly beloved brethren in Jesus Christ,” to do the same, in opposition to “profaneness and malignancy on the one hand; and of error, schism, heresy, and blasphemy, on the other².”

It was generally expected that notwithstanding the opposition which the commission had made to raising the army, and which this Assembly had so heartily approved, now it was actually embodied and in the field, that they would have shewn some moderation; yet, says Guthry, “never had any Assembly carried so highly and arbitrarily as they did.” Their first collision was with the committee of the estates, who sent the earl of Glencairn, sir James Carmichael, treasurer-depute, and Archibald Sydserv, one of the magistrates of Edinburgh, to

¹ Guthry’s Memoirs, 231.—Stevenson’s Church and State, 600.

² Johnston’s Collections, 371, 372.

desire that before they should proceed to revise and approve the late commission's transactions, they would hear what the committee of estates had to say. Some of the ministers, who were not in the secret, expected there would have been a debate in earnest; but such of the royalists whose suspicions were awake, and could look deeper than the surface, saw that this was a sham fight, got up betwixt the ruling elders on the one side, and the dictator on the other. And after several delays and much speaking, the Assembly ratified and approved of the acts of the commission; and an act of approbation was passed on the 18th, wherein it is stated, that "having examined the proceedings of the commission of the preceding Assembly, especially their declarations, remonstrances, representations, petitions, vindication, and other papers relating to the present Engagement in war, do unanimously find that in all their proceeding, they have been zealous, diligent, and faithful, in discharge of the trust committed to them: and therefore ratify and approve the whole proceedings, acts, and conclusions of the said commission, particularly their papers relating to the said Engagement, and their judgment of the *unlawfulness* thereof, appointing Mr. John Moncrief, moderator *pro tempore*, to return them hearty thanks in the name of the Assembly, for their great pains, travels, and fidelity, in matters of great concernment to the *cause of God* and to this kirk, amidst so great and many difficulties¹."

On the 17th and 24th the committee sent two papers to the Assembly, desiring to know what securities for religion they required. To which the Assembly replied, on the 26th—"That we do see no possibility of securing religion, *so long as this unlawful Engagement is carried on*, religion being thereby greatly endangered—1, Because none of the just and necessary desires of the late General Assembly for securing religion have been granted or satisfied; more particularly . . . it was necessary that the popish, *prelatical*, and *malignant* party, be declared enemies to *the Cause*, upon the one hand, as well as sectaries on the other, and that all associations, either in forces or councils, with the former as well as the latter, be avoided. That his majesty's concessions and offers concerning religion be declared *unsatisfactory*. That before his majesty's restitution to the exercise of his royal power, . . . [that he give] his solemn oath, under his hand and seal, for settling religion *according* to the covenant, that their lordships should keep themselves from owning any quarrel concerning his majesty's negative

¹ Guthry's Memoirs, 232.—Johnston's Collections, 371, 372.

voice and that there might be no Engagement without a solemn oath, wherein the kirk ought to have the same interest they had in the Solemn League and Covenant notwithstanding the Engagement hath been carried on without satisfaction to these and the like desires; and so without giving security in the point of religion, but with great and manifest *danger* to the same. 2. [The true reformed religion is weakened and hurt by] their associating and joining with known *malignants* and incendiaries, and such as have been declared enemies to this *Cause*. . . . 3. The Engagement is carried on by such means and ways as tend to the destroying of religion, by ensnaring and *forcing the consciences* of the people of God with unlawful bands and oaths, and oppressing the persons and estates of such as have been most active and zealous for religion and the covenant. All which is strengthened and authorised by acts of parliament, appointing that all that do not obey, or persuade others not to obey the resolutions of parliament and committee anent this Engagement, or who shall not subscribe the act and declaration of the 10th of June, imposed upon all the subjects, shall be holden as enemies to the Cause and to religion, and have their persons secured, and their estates intromitted with. 4. . . . Wherefore the security of religion and carrying on of the present engagement being inconsistent, we do propose, for the necessary security and safety of religion, that all the dangers thereof may be taken into consideration, and amongst the rest the said Engagement as one of the greatest¹."

THE COMMITTEE received the above answer, and in reply sent them a paper which appears replete with irony, desiring,—
 "1. That the General Assembly would be pleased to demonstrate in writing, *from the Holy Scriptures*, the unlawfulness and sinfulness of this present Engagement. 2. That the Assembly would be pleased to demonstrate, *from the Word of God*, that the kirk has interest in the undertakings in war, and to declare what heir interest is in determining thereof: after which the committee, if needful, shall give a full and clear answer to those politic reasons adduced in their paper." These queries were subsequently answered, but, in the meantime, the Assembly passed an act and declaration against the act of parliament and committee of estates, ordained to be subscribed the 10th and 12th of June, and against all new oaths or bonds in the common cause, imposed without consent of the church; in which, after a long preamble, they "Do unanimously declare

¹ Johnston's Collections, 373-76.

the aforesaid subscription to be unlawful and sinful. And do warn, and in the name of the Lord charge all the members of this kirk to forbear the subscribing the said act and declaration, much more the urging of the subscription thereof, as they would not incur the wrath of God and the censures of the kirk. They likewise enjoin all the members of this kirk to forbear the swearing, subscribing, or pressing of any new oaths or hands in this cause without the advice and concurrence of the kirk, especially any negative oaths or bands which may any way limit or restrain them in the duties wherunto they are obliged by the national or solemn league and covenant. . . . And ordains that presbyteries . . . synods, or the commission . . . be careful to proceed against and censure the contraveners of this act¹. They were not always so tender of the consciences of churchmen and loyalists, whom, in the depth of their hatred, they branded with the infamous mark of *malignants*, when they forced upon them the unlawful and impious oath of their covenant, and which brought such fearful calamities upon the church, the king, and the three kingdoms.

On the 31st of July, being their twenty-first session, the Assembly issued a "declaration concerning the present dangers of religion, and especially the unlawful Engagement in war against the kingdom of England; together with many necessary exhortations and directions to all the members of the kirk of Scotland." In which, amongst many other things, they say—"the wars of God's people are called the wars of the Lord It was the best flower and garland in the former expeditions of this nation, that they were for God, and for religion principally and mainly. But if the principal ends of this present Engagement were for the glory of God, how comes it to pass that not so much as one of the desires for the safety and security of religion in the said Engagement is to this day satisfied or granted; but on the contrary, such courses taken as are destructive to religion? And if God's glory be intended, what meaneth the employing and protecting in this army so many blasphemers, persecutors of piety, disturbers of divine worship, and others guilty of notorious and crying sins? Again, how can it be pretended that the good of religion is principally aimed at, when it is proposed and declared that the king's majesty shall be brought to some of his houses in or near London, with honour, freedom, and safety, before ever there be any security had from him, or so much as any application made to him, for the good of religion? What is this but to postpone the honour

¹ Johnston's Collections, 377-79.

of God, the liberties of the gospel, the safety of God's people, to a human interest, and to leave religion in a condition of uncertainty, unsettledness, and hazard, while it is strongly endeavoured to settle and make sure somewhat else ?

2. Suppose the ends of this Engagement to be good (which they are not) yet the means and ways of prosecution are unlawful, because there is not an equal avoiding of rocks on both hands, but a joining with malignants [episcopalians], to suppress sectaries, a joining hands with a black devil to beat a white devil ; they are bad physicians who would so cure one disease as to breed another as evil or worse. That there is in the present Engagement a confederacy and association in war with such of the English, who, according to the Solemn League and Covenant, and declarations of both kingdoms, 1643, can be no otherwise looked upon but as malignants and enemies of reformation and the cause of God, is now made so manifest before sun and moon, that we suppose that none will deny it ; and it is no less undeniable, that not only many known malignants, but diverse [that is, the king's most loyal friends], who joined in the late rebellion within this kingdom are employed, yea, put into places of trust ; all of which how contrary it is to the word of God, no man can be ignorant who will attentively search the Scriptures.

4. . . . Instead of endeavouring to extirpate popery and superstition without respect of persons (as is expressed in the covenant), there is in the late declaration of the committee of estates a desire of the queen's return, without any condition tending to the restraint of her mass or exercise of popery ; we do also conceive there is a tacit condescending to the *toleration of superstition and the Book of Common Prayer* in his majesty's family . . . neither can we conceive how the clause concerning the *extirpation of prelacy* can consist with endeavouring to bring his majesty with honour, freedom, and safety, to one of his houses in or about London, without any security from him for the abolition of prelacy, it being his known principle (and publicly declared by himself shortly after he went to the Isle of Wight), that he holds himself obliged in conscience, and by his coronation oath, to maintain archbishops, bishops, &c. Can it be said that they are endeavouring to *extirpate prelacy*, who, after such a declaration, would put in his majesty's hand an opportunity to *restore it* ?

5. . . . All which considered, as we could not, without involving ourselves in the guiltiness of so *unlawful* an Engagement, yield to the desire of the army for ministers to be sent to attend them, so we do earnestly exhort, and, in the name and

authority of Jesus Christ, charge and require all and every one of the members of this reformed kirk of Scotland, . . . that they *do not concur in, nor in any way assist*, this present Engagement, as they would not partake in other men's sins, and so receive of their plagues; but that, by the grace and assistance of Christ, they steadfastly resolve to suffer the rod of the wicked, and the utmost which wicked men's malice can afflict them with, rather than to put forth their hand to iniquity. . . . We do also exhort and charge, in Christ's name, the Prince of pastors, all the ministers within this kirk, that *in no ways they be accessory to this sinful Engagement*, but in all their conferences and reasoning, especially in their public doctrine, as they would eschew the wrath of God, due for a violated covenant, and as they would escape the censures of the kirk; and let all presbyteries be watchful within their bounds, and carefully, wisely, and zealously *inflict ecclesiastical censures*¹."

Thus the late and ineffectual effort of loyalty on the part of the parliament was vehemently opposed by every method in the power of the General Assembly, on account of the obligations of the covenant, which has been justly called a bond of rebellion. Although the consciences of the churchmen and loyalists had been most cruelly oppressed by the presbyterians, yet this Assembly, among other arguments against the Engagement, desire that it may be "considered deeply, how fearful a thing it is to oppress the consciences of their brethren!" and in one of their papers, addressed to the parliament in their 22d session, they assert, that the attempt to assist the king was a "most *unlawful* and *sinful* Engagement, to be repented of and forsaken by all that have any hand in it, as they desire to make their peace with God²." And although loyalty was ever on their lips, by which means they deceived many at the time, and have boasted of it ever since, yet loyalty was not only *contrary* to their principles and the spirit of the covenant, but their *acts and declarations completely gave the lie* to their hypocritical professions. In their "declaration and exhortation to their brethren in England" they shew their hypocrisy unequivocally:—"And albeit we acknowledge ourselves bound and are still resolved to preserve and defend his majesty's person and authority, in the preservation and defence of *the true religion* and liberties of the kingdom, yet it is unto us matter of *very great sorrow and grief* that so many in our land should so far *join in malignant designs*, and that there should be found amongst us who have undertaken and are now putting

¹ Johnston's Collections, 380-400.

² Ibid. 403.

in execution an *unlawful* war, promoting their ends, and opposing and *making void* (so far as in them lies) *the ends of the covenant*¹. Again, in their answer to the letter of the Westminster Assembly, they say, "we are confident you will not cease to give a public testimony for Christ both against sectaries and all seducers who prophecy lies in the name of the Lord, and against *malignants* and incendiaries, the *prelatical* and popish faction, who now again bestir themselves to hold up the rotten and tottering throne of *antichrist*, and are (whatever they pretended) the real enemies of reformation²."

The Assembly was not content with the opposition to the Engagement which they endeavoured ineffectually to excite at home, but they insulted the king himself, by intruding their insolent advice and reproaches under the name of "the humble supplication of the General Assembly of the kirk of Scotland, met at Edinburgh, August 12th, unto the king's most excellent majesty;" in which, after insulting him with their condolence, they say, "We are very sensible of your majesty's suffering and low condition [towards which they themselves had so powerfully contributed], and do not in the least measure approve, but from our hearts abhor, any thing that hath been done to your majesty's person contrary to the common resolutions of both kingdoms: Yet shall it be your majesty's wisdom in this, as in all that hath befallen you these years past, to read the righteous hand of the Lord writing bitter things against you, as for all your provocations, so especially *for resisting his work*, and authorising by your commission the shedding of the blood of his people, for which it is high time to repent, that there be no more wrath against you and your realms. . . . If your majesty had been pleased to hearken to our counsel hereanent some years ago, the blood of many thousands, which now lies upon your majesty's throne, might have been spared; *prelacy*, &c. sects, and schisms, which are now grown to so great a height in England, might have been *extirpate*; and your majesty sitting in peace in your own house, reigning over your subjects with much mutual contentment and confidence! And if your majesty shall yet search out and repent of all your secret and open sins, and, after so many dear-bought experiences of the danger of evil counsel, be now so wise as to avoid it, and to hearken *to us, speaking unto you in the name of the Lord*, we are confident by this means your majesty may yet be restored, and a sure and firm peace procured³."

¹ Johnston's Collections, 406.

² Ibid. Session 26, 2d August, 412.

³ Ibid. 437-440.

In this document insult and delusion are ingeniously mixed with keen upbraidings and sarcasm. From the strong delusion under which the presbyterian ministers themselves laboured, they believed the atrocious lie that the guilt of blood lay on the king's head, whereas it unquestionably rested on themselves and on their guilty partisans, who had precipitated the nation into rebellion. He was not the first to draw the sword; but, when he did, it was in defence of his loyal people, of the just laws of the kingdom, of the rights of conscience, and of the church, which the presbyterians had *sworn to extirpate*. His guilt manifestly laid in his unhappy concessions to the religio-political factions in both kingdoms, which deprived him of all power both legislative and executive.

The Assembly passed a number of acts and overtures besides those above noticed; and they agreed to and authorised the Larger and Shorter Catechisms "as agreeable to the word of God, a necessary part of the *intended* uniformity in religion, and a rich treasure for increasing knowledge among the people of God." They condemned a pamphlet respecting Mr. Henderson, which shall be afterwards noticed; they ordained that, before communicating for the first time, every one should take the oath of the covenant, and also all students at matriculation; and yet they were remarkably sensitive on the point of forcing their own consciences, when required to do any thing to which they themselves had not a mind. They ordered the ministers to give in a list to the commission of the kirk of all papists, that they might be extirpated according to the covenant. Last of all, they passed an act ordaining "that no minister, deposed for *malignancy*, shall enter into the congregation of any other minister who also hath been deposed for malignancy and compliance, as said is¹." A new commission of the kirk was appointed, consisting of the same persons as before, always placing the marquis of Argyle at the head of the lay-elders; and, lest the commission should not be able to reach all the episcopal clergymen whom they meant to depose, the Assembly appointed *three* riding committees, under the name of visitors, one of which was to depose the clergy in the presbyteries of Stirling and Dunblane; another in Dunse and Chirnside; and the third in Caithness and Orkney. And, to make sure work, it was enacted, that if any of the clergy whom they deposed should obtain any part of their stipend which might be due, the committees were empowered to excommunicate them. That neither abilities, reputation, nor piety, should be any protec-

¹ Johnston's Collections, 442.

tion to those whom they wished to depose, the Assembly itself set their commissioners the example, by silencing and deposing the Rev. Andrew Ramsay and the Rev. William Colville, two of the remaining episcopal clergy of Edinburgh, and "who, for their eminence in learning, diligence in their calling, and strictness in their conversation, were ornaments to the church of Scotland." At the same time the Assembly "*opened the mouth*, that is, empowered one Gillan to preach the gospel, though he was but a poor ignorant ploughman, whose greatest proficiency in learning was that he could read English¹." After this they appointed the next Assembly to meet at Edinburgh, on the first Wednesday of July, 1649; "and then the Assembly rose, with much less applause than any that had formerly been."

On the 14th November, the first named committee, or visitors, came to Stirling, and thrust out of their churches the Rev. HENRY GUTHRY, author of the *Memoirs*, which have been so often cited, and who after the Restoration was bishop of Dunkeld, and the Rev. John Allen, as notorious malignants or loyalists; and "they made a fearful deprivation amongst" the episcopal clergy in the presbyteries of Stirling and Dunblane. A similar "fearful deprivation" was exercised in the districts that were visited by the other two committees².

IN THE END OF JULY, sir William Fleming returned from the Prince of Wales, who then with a fleet lay in the Downs, and brought a considerable quantity of ammunition and other military stores for the army under the duke of Hamilton. The committee of estates sent this supply to the castle, that, as Guthry says, "they might be sure *not* to have it at command;" for the castle was in the power of general Leslie, who was in the interest of Argyle and opposed to the Engagement, and so the stores that were intended for the king's service went to strengthen his mortal enemies. The committee despatched sir William Fleming and the earl of Lauderdale to the prince, to invite him to come to Scotland. The loyalists thought it a hazardous enterprise in Lauderdale; who, for the previous four years, had resided in London, and negotiated the combination betwixt the two parliaments, and had approved of and assisted in all the proceedings against the king. To the surprise of every one, the Prince of Wales received him with open arms, and contracted that intimacy with him which was renewed and continued after the Restoration.

Notwithstanding all the opposition made by Argyle and his

¹ Guthry's *Memoirs*, 233,

² *Ibid.* 250.

saction, with the General Assembly at their back, the army at last, *when too late*, began their march for Carlisle on the 8th of July, under the duke's Engagement, and with the anathemas of the commission. And a contemporary says, "Besides all this, the Scotch ministry have already mounted their presbyterian pulpits . . . and, as it becomes such rigid and severe pronouncers of fearful anathemas, prohibited all and singular their commanders, officers, and common soldiers, from marching or budging a foot, under the heavy penalty of excommunication or stool of repentance, in defence of the English Calvary, nor on any other plausive pretence whatsoever. 'For it were high indiscretion,' they say, 'to engage our persons, nay, the whole security of our kingdom, in so doubtful and anxious a quarrel; especially in the interest of any one particular person, be he of never so high, nor concerning a condition¹.'" At Appleby, there was a skirmish with a division of the parliamentary army, under Lambert, when the Scots had the advantage, and then they pushed on to Preston, in Lancashire, where they were met and totally routed by Oliver Cromwell, with great slaughter. The duke himself fled with all speed, but was captured, and sent to the royal palace of Windsor Castle, which was converted into a state prison.

In the interim, Argyle made open profession of his opinion that the duke's expedition would be defeated, and therefore raised some regiments, which were placed under the command of the earl of Lanerk, and sent towards the borders. The presbyterians assembled in the west, to the number of 6000, with Loudon, the chancellor, at their head, with the earls of Eglinton, Cassilis, "David Dick, and the *rest of the ministers* in those parts," and marched towards Edinburgh. The object of all these movements was to prevent that assistance being given to the imprisoned king which the tardy loyalty of some of the people was disposed to have given, and who had prepared "one of the greatest and best furnished armies that ever Scotland had sent forth." But, says Guthry, "Amongst all that headed this insurrection there was none so generally abhorred as Loudon the chancellor; not only in regard of his ingratitude to the king, (who, in the year 1641, raised him from the rank of a lord to the title of an earl, and presented him to be high chancellor, and farther gave him the yearly pension of £1000 sterling, and also the best part of the whole annuities throughout the kingdom,) but much more because of his late

¹ Caledonius Mercurius, pp. 11, 12.

treachery to his majesty, who having, at the Isle of Wight, been a prime instrument in persuading him to refuse treating with the parliament of England, and to cast himself upon the Scots; and that now when, by so doing, his majesty could hope for no favour from the English, he did then fall from the assurance then given by him and the other commissioners to his majesty, and instead of assisting the army raised in reference thereto, did now (after the same had got a defeat by strangers) head a lawless multitude, to oppose and *cut off* the remainder thereof¹.

LANERK was joined by the Scots who had escaped from the defeat at Preston, under general Munro, when he retreated to Edinburgh to meet the new enemies, under Loudon and the covenanting ministers. But there was no fighting; and, after some marching and countermarching, a treaty was concluded between the chiefs of both armies, to the effect that their civil differences should be referred to parliament, and their ecclesiastical to the next General Assembly, and both armies to be disbanded. After his victory at Preston, Cromwell moved towards Scotland, and established his head-quarters at Merdisfen, in Northumberland. The marquis of Argyle, lord Elcho, and sir Charles Erskine, waited on Cromwell there, delivered up Berwick to him, and accompanied his army to Edinburgh. Cromwell lodged at lady Home's house in the Canongate, and Argyle, the earls of Loudon and Lothian, the lords Arbutnot, Elcho, and Burleigh, with the ministers, David Dick, Robert Blair, and James Guthrie, held frequent and close correspondence with him; and all those who had been in the Engagement were ordered, by proclamation, to leave the capital. "What passed among them came not to be known infallibly; but it was talked very loud, that he did communicate to them his designs in reference to the king, and had their assent thereto²."

WE ARE INFORMED by a popular writer, that on this occasion "the commission of the kirk sent Mr. Blair and the others to deal with Cromwell for an uniformity in England. When they came he entertained them with smooth speeches, and solemn appeals to God as to the sincerity of his intentions. Mr. Blair being best acquainted with him, spoke for all the rest, and, among other things, begged an answer to these three questions:—1. What was his opinion of monarchical government? He answered, he was for it. 2. What was his opinion anent

¹ Guthry's Memoirs, 233-238.

² Ibid. 249.

toleration? He answered, confidently, that he was altogether against toleration. 3. What was his opinion concerning the government of the church? 'O now,' said Cromwell, 'Mr. Blair, you article me too severely; you must pardon me that I give you not a present answer to this,' &c. This he shifted, because he had before, in conversation with Mr. Blair, expressed he was for independency. When they came out, Mr. Dickson said, I am glad to hear this man speak no worse; whereunto Mr. Blair replied, if you knew him as well as I, you would *not* believe one word he says, for he is *an egregious dissembler, and a great liar*¹."

Cromwell's expedition to Edinburgh was called the "Whiggamore's raid;" and when rogues quarrel the truth sometimes appears which otherwise might have remained concealed. In a dispute in parliament betwixt sir Archibald Johnston and sir John Browne, the former publicly confessed in open parliament on the 27th of February, 1649, that Cromwell and Lambert's coming to Edinburgh at the Whiggamore Raid was *with the consent* of Argyle, and those who had waited on them in Northumberland, although he and the others concerned had formerly denied it; "whereupon sir John desired the clerk to mark that as an essential point, now confessed in public parliament²."

A NEW TREATY betwixt the king and the parliament made Cromwell hasten to London; but he left Lambert with a division of his army to support Argyle, in securing the supreme power in the government; and it was agreed that some Scots commissioners should be sent to London to take part in the proceedings against the king. On the part of the kirk Mr. Robert Blair and sir John Chiesley were sent, and afterwards the earl of Lothian, and William Glendinnan, a burgess of Kirkcudbright, who were arrested at Gravesend, where they were going to embark for Holland, "by warrant from that blasphemous army and wicked parliament³." As soon as Cromwell reached London he put an end to the treaty betwixt the king and the parliament, by a remonstrance from the army against it, and craving justice on the king; and he directed them to summon the prince of Wales and duke of York to appear before parliament, to hear themselves declared incapable of holding power or authority in England. Notwithstanding, a vote was carried, "that the king's concessions in the treaty were good grounds

¹ Scots Worthies, Life of Robert Blair, p. 276.

² Balfour's Annals, iii. 388.

³ Balfour's Annals, iii. 388.

for a safe and lasting peace," with only forty-six dissentient voices, against a majority of a hundred and sixty. Cromwell arrested some of the majority, and dispersed the others; so that the minority of forty-six, who were subservient to him, remained and composed the RUMP of the Long Parliament.

1649.—THE SCOTTISH PARLIAMENT sat down at Edinburgh on Thursday, the 4th of January; but only fourteen of the peers were present, all of whom were Argyle's partizans. The commission of the kirk, with consent of parliament, ordained a fast to be kept on the 10th, and the League and Covenant to be signed. Despatches were received from the Scots commissioners at London, informing parliament of the proceedings against the king, and requesting instructions. The committee met with the commission, and instructions, consisting of fourteen articles, were sent; but those most to the point were—6, that they should not agree to any measure that might be the occasion of a new war—7, that they would delay to meddle with the king's person—and, 9, if they proceed and pronounce sentence against the king, that they should enter their dissent and protest¹. Parliament divided the malignants, or loyalists, into *four classes*, the *first* of which were to be secluded from all public offices during life, the *second* for ten years, the *third* for five years, and the *fourth* till the next session of parliament. They next made an ACT OF CLASSES for purging the judicatory and public offices, and so they cashiered all the judges that were tainted with the crime of loyalty, and in their places appointed the most unscrupulous partizans of Argyle, secluding all those who had promoted the late unfortunate Engagement, "and in general all of malignant principles or scandalous practices."

No man who has read the foregoing pages can doubt that Argyle had fulfilled his father's prophesy, that he would "wind Charles a pirl" [a reel]; yet no man can blame the king for neglecting the old earl's advice of arresting the incipient traitor. He was a most irredeemable coward; yet by his canting and hypocrisy, and his natural talents, which were good, he managed to direct the whole machinery of kirk and state, and to thrust others into danger. As an elder of the kirk he was always appointed one of the commission; which, with his position in the committee of the estates, a sort of republic, gave him the complete command of the whole machinery of the government. Argyle and the kirk mutually upheld each other. As an elder he instigated the commission, without appearing in it himself,

¹ Balfour's Annals, iii. 373, 386.



WILLIAM SHAKESPEARE

William Shakespeare

FROM AN ORIGINAL PAINTING

London, J. D. Colclough, 7, Watling Street.

to petition, to remonstrate with, and dictate to, the parliament and its committee, and to oppose the acts of the parliament and the government of the committee, when his own direct influence had failed, especially in the affair of the duke's engagement. The commission of the kirk called it *the unlawful Engagement*; and for some considerable time, instead of the saving truths of Jesus Christ, it was the only subject of their sermons; and by a decree of the Assembly, all who had any concern in it were excommunicated, unless they did penance in sackcloth at the kirk door, after the manner of those who had been guilty of adultery or fornication. "This," says Dr. Cockburn, "to my certain knowledge, turned many to be *atheists* and *irreligious*, who concluded from thence all religion and all designs of clergymen to be only hypocrisy and cheat¹." At the same time, as a member of the committee of estates, Argyle adopted their advice, which, in fact, he had prompted, and while he was working out his own plans, he gave to the commission an importance and a position which they could not otherwise have had, and enabled them to meddle with affairs of state, as the directors of the government. Hence Argyle was usually called the DICTATOR.

¹ A specimen of some free and impartial remarks on public affairs and particular persons, especially relating to Scotland, occasioned by Dr. Burnet's History of his Own Times, by John Cockburn, D.D. p. 51.

CHAPTER XXII.

ARCHBISHOP LAUD, THE PURITANS, AND THE WESTMINSTER
ASSEMBLY.

Origin of the puritans—chancellor Puckering's opinion of them—their practices—their grand principle—their separation—set up separate meetings—disputes about the habits—a presbytery and lay-elders—Neal's character of them.—More grievances.—Introduction of extemporary prayers.—Faithful Cummins—his artifices and practices.—Thomas Heth's preaching.—The millenary petition.—The Hampton Court conference.—Plans of the puritans.—Archbishop Abbot.—Fuller's description of non-conformity.—Practices of the papists.—Puritan grievances presented to king Charles's first parliament—the king's embarrassment—remonstrances.—Prynne and others prosecuted.—Archbishop Laud.—Puritans the majority in parliament.—Proceedings of the Commons.—Dr. Laud committed to the Tower—his persecution there—Scots commissioners accuse him before the peers—impeached of high treason—the prosecution—his defence—the charges against him—a bill of attainder—condemned—his speech on the scaffold—his execution—the papists rejoice.—Common prayer abolished.—The directory appointed—the king's remarks on it.—Persecution of the church.—The bishops assaulted—their houses turned into prisons.—Clergy imprisoned in ships.—Number of the clergy ejected.—Sacrilege.—Westminster assembly of divines called—the manner of electing the members—their mode of procedure.—The king cries down the assembly by proclamation.—A fast.—The covenant sworn.—The Scots ministers admitted to the assembly.—A persecution for refusing to sign the covenant.—Clergy ejected.—Committee for plundered ministers.—Effects of the covenant.—Three parties in the assembly.—The directory established.—The confession of faith—its fundamental principle—the eternal decree—remarks on it.—Distinction betwixt the civil and ecclesiastical powers.—Remarks.—Other articles.—Intolerance.—A new method of supplying the want of ordination.

IN queen Elizabeth's reign the dissenters were called Puritans, because, says Bishop Hurd, "they aimed at a purer reformation; but the worst of all was, they wanted to reform the church, without reforming themselves." They made extraordinary pretensions to superior sanctity of manners, and for the purification of the church, which, they said, was not sufficiently *pure* from Romish corruptions. When the reformation was decidedly established after the accession of Elizabeth,

some of the Romish clergy, who were in possession of benefices, *pretended* to conform; but kept up a constant opposition to the sober ceremonies of the established church, and made the most strenuous efforts to procure their abolition. Elizabeth entertained a rooted dislike to the puritans, and was inexorable in pressing the execution of the act of uniformity; and they were equally unfriendly to her government, and were instrumental in the Spanish invasion in 1588. In that year the lord chancellor Puckering communicated the queen's opinion of them in his speech in the house of lords:—"You are especially commanded by her majesty to take heed that no ear be given nor time afforded to the wearisome solicitations of those that commonly be called puritans, wherewithal the late parliaments have been exceedingly importuned; which sort of men whilst that (in the giddiness of their spirits) they labour and strive to advance a *new eldership*, they do nothing else but disturb the good repose of the church and commonwealth, which is as well grounded for the body of religion itself, and as well guided for the discipline, as any realm that confesses the truth. And the same is already made good to the world by many of the writings of godly and learned men, neither answered nor answerable by any of these new-fangled refiners. And, as the case standeth, it may be doubted whether they or the jesuits do offer more danger, or be more speedily to be repressed; for albeit the jesuits do empoison the hearts of her majesty's subjects, under a pretext of conscience, to withdraw themselves from their obedience due to her majesty, yet they do the same but closely and in privy corners, but *these men* [the puritans] do both teach and publish in their printed books, and teach in their conventicles, sundry opinions not only dangerous to a well settled estate and the policy of the realm, by putting a *pique* betwixt the clergy and the laity, but also much derogatory to her sacred majesty and her crown, as well by the diminution of her ancient and lawful revenues, and by denying her highness's prerogative and supremacy, as by offering peril to her majesty's safety in her own kingdom. In all which things, (however in such things they *pretend* to be at war with the popish jesuits,) yet, by separation of themselves from the unity of their fellow subjects, and by abasing the sacred authority and majesty of their prince, they do both join and concur with the jesuits in opening the door and preparing the way to the Spanish invasion that is threatened against the realm."

It may be observed, from his lordship's words, that they excited an agitation, by perpetually presenting petitions to par-

liament under pretence of tenderness of conscience; and one of their chief engines of success was to blacken and defame the characters of the clergy, to make "a pique" betwixt them and the laity, and to accuse them of a leaning to popery. Their opposition to government occasioned harsh measures to be resorted to, and severe acts of parliament to be passed, in order to suppress their tendency to sedition, and their habit of exciting a spirit of discontent among the people. *At first* they only complained of the ordinance requiring an uniformity in the use of clerical habits, when they asserted that they "should be killed in their souls for this pollution;" and Neal says, gravely, that to refuse "the wearing of popish garments was one of *the grand principles* of non-conformity¹." And, again, he completely condemns the puritans by their own words, contained in their own "supplicatory letter" to archbishop Parker, "in which they protest before God, what a bitter grief it was to them that there should be such *dissensions about a cap and surplice* among persons of the same faith²." The church did not make the wearing a surplice a "grand principle;" she only prescribed it for decency and reverence, as God himself prescribed "holy garments for Aaron—for glory and for beauty;" that they might be "upon Aaron and upon his sons, when they come in unto the tabernacle of the congregation, or when they come near unto the altar to minister in the holy place; that they bear not iniquity and die. It shall be a *statute for ever* unto him, and his seed after him³." Now the calling of Aaron is the pattern for the vocation of the christian priesthood, which has succeeded to Aaron and his sons; and as garments were appointed for them for glory and for beauty by a statute for ever, and the same "holiness unto the Lord" being incumbent on their successors, so also is a proper sacerdotal dress necessary, not as a "grand principle" of religion, but for the glory and the beauty of those that are called as was Aaron, to serve, as he did, at God's altar. It is therefore exceedingly strange to see the puritans making an uniform dress a fundamental principle of religion, and denouncing that which has the express prescription of God as dregs of popery, and rags of the w —, and, in Neal's words, "to take away the very bread of life for the sake of a few trifling ceremonies⁴." But most of these men were *secret papists*; and though they objected to the habits as being rags of popery, yet they clung to an extra popish "door of entrance in the ministry," which had been left open for them

¹ History of the Puritans, i. 127.

² Exod. ch. xxviii. *passim*.

³ Ibid. i. 137.

⁴ Hist. of Puritans, i. 149.

by pope Alexander VI., who gave the university of Cambridge the privilege of licensing "twelve ministers yearly, to preach any where throughout England without obtaining licenses from any of the bishops." And thus these violent ultra antipapists took shelter under the pope's wing, and leagued with real papists and jesuits to create schisms and dissensions, for the purpose of destroying a church that has hitherto been an impregnable barrier to the encroachments of popery.

By order of the queen the dissentient puritans were suspended, and warned that unless they complied within three months they should be deprived. At this time the puritans had not separated from the church; and, Neal says, "they were at a loss how to behave, being unwilling to separate from a church where the word and sacraments were *truly* administered, though defiled [as they alleged] with some popish superstitions. But," he continues, "at length, after waiting about eight weeks to see if the queen would have compassion, several of the deprived [puritan] ministers held a solemn conference with their friends, in which, after prayer, and a serious debate about the *lawfulness* and necessity of separating from the established church, they came to the conclusion, that since they could not have the word of God preached, nor the sacraments administered, without idolatrous gear [the clerical habits], and since there had been a separate congregation in London, and another in Geneva, in queen Mary's time, which used a book, order of preaching, and administration of sacraments, of which the great Mr. Calvin approved, and which [they said] was free from the superstitions of the English service, that therefore it was their duty, in their present circumstances, to break off from the public churches, and to assemble as they had opportunity in private houses, or elsewhere, to worship God in a manner that might not offend against the light of their consciences¹." It is *sinful terms* of communion only that can justify separation from a true church; and in the commencement of their schism the puritans acknowledged the church of England to be a true church: and will any sober christian maintain that the wearing of a surplice is a sinful term of communion? But the puritan ministers being chiefly concealed popish priests, were determined to introduce a schism into this "true church," and which should be, as a popish emissary said, a "stumbling-block to that church while it is a church," and they made the wearing of clerical habits the immediate cause. Neal says, "it was the compelling

¹ Neal's History of the Puritans, i. 152, 153.

these things by law that made them separate." After their formal separation, a contention raged as fiercely among themselves about the use of a liturgy, as they had before maintained against the church about the wearing a surplice. At last they agreed to adopt Calvin's service-book; but which was again laid aside for extemporary worship.

The *habits*—namely, the surplice and black gown, hood and square cap—occasioned the most bitter dissensions in the church of England, and the puritans had excited as violent a hatred to them as the covenanters afterwards exhibited in Scotland. Having discovered that the pope was not infallible, men were disposed to look upon him as *the* antichrist, and the clerical vestments were considered by the puritans as remnants of popery, and rags of the Midianitish woman of Babylon. On the 20th of October, 1572, a number of the separated puritan divines assembled at Wandsworth, and constituted themselves a *presbytery*, and which is the first court of that sort on record in Britain; and they chose eight lay-elders to compose a system of government. Neal says, that "they were not enemies to either the name or the function of a bishop, provided he was no more than a stated president of the college of presbyters in his diocese, and managed its affairs with their assistance. They did not object to set forms of prayer, provided a latitude was allowed to the ministers to alter or vary some expressions, and to use a form of their own conception before and after sermon; neither did they object to such *decent and distinct habits* for the clergy as were not derived from popery. But, upon the whole, they were the most resolved protestants in the nation, zealous *Calvinists*, warm and affectionate preachers, and determined enemies to popery, and to every thing that had a tendency that way." Assuming Neal's character of the puritans to be true, it appears very extraordinary that they should have broken into schism for the matter of the clerical habits, and have established a new eldership, with a government different from that to which they said they had no objections, and to a national church, reformed on catholic principles, wherein they also declared that "the word and sacraments were truly administered."

At the commencement of the puritan schism the cap and surplice only were complained of, and, rather than wear them, they denied what they called "the very bread of life" to the people, that is, their own preaching; but the beginnings of schisms are like the letting out of water, and presently they discovered many other grievances. They objected to episcopacy, to the jurisdiction of the bishops, to the want of a "godly discipline,"

to the liturgy, to the apocryphal books, to the fasts and festivals of the church, to chaunting the service in cathedrals; to certain rites and ceremonies, as the sign of the cross and sureties in baptism, confirmation, kneeling at the Lord's Supper, bowing at the name of Jesus, the ring in marriage, &c. : the design of which was to keep up agitation so as to work effectually for the advantage of Rome, which had originally set them on, and to divide the church of England, and cause dissensions and "piques" among both the clergy and the people. The Scripture says that wars and fightings proceed from pride; and heresies and schisms may possibly claim the same origin. Popish emissaries were exceedingly busy in the beginning of Elizabeth's reign, and the custom of extemporary prayer was introduced by one of them, named Faithful Cummin, a Dominican friar, who made the utmost pretences to zeal against popery, and bitterly inveighed against pope Pius V. He canted to perfection, and maintained that "*spiritual prayer* was the chief testimony of a true protestant, and that the set form of prayer in England was but the mass translated." His hypocrisy was discovered; and he was accused, on oath, by three respectable witnesses, of being a false impostor, and a sower of sedition among the queen's loyal subjects. He was arrested, and examined before the queen and privy council; when it was elicited from him, that he had been ordained by cardinal Pole; that he had never renounced popery, nor been licensed by any bishop in the church of England; that he never attended the prayers of the established church, but, when they were ended, he came forward and preached; that he had never received the sacrament in the church of England; that he used extempore prayer, and claimed "the wide world amongst the flock of Christ scattered over the whole earth as his parish." He was liberated on bail; but, apprehensive of farther discoveries, he made his escape to the continent, and went direct to Rome, where he was introduced to the pope, and explained to his satisfaction the good service which he had done to popery by encouraging schism in England. "I preached," said he, "against set forms of prayer, and I called the English prayers *English mass*, and have persuaded several to pray spiritually and extempore; and this hath so taken with the people, that the church of England is become as odious to that sort of people [the puritans] whom I instructed, as the mass is to the church of England; and this will be a stumbling-block to that church while it is a church." For this service the pope gave him great praise, and bestowed a handsome pecuniary reward on him. This man's success encouraged the pope and the

college *de propaganda fide* to maintain a succession of disguised emissaries and jesuits, to create new sects in England, and to cause diversities of doctrines; and their success has been commensurate with their industry and secrecy. Some years afterwards, Thomas Heth, a jesuit, was discovered counterfeiting the character of a protestant; but he advanced a step farther than Cummin, who railed only against the liturgy, and opposed not only the service of the church of England, but its episcopacy, habits, rites, and ceremonies, as popish and superstitious, and pretended to labour for a *refinement* of religion, and for a *purser* and more thorough reformation. From constantly preaching about purity in the doctrines and discipline of the church, the dissenters from it acquired the name of Puritans.

After the death of Elizabeth, the puritans formed large expectations from king James, of immediate patronage, and ultimately of the establishment of their discipline. They met him at his accession on his progress to London with what has been called the Millenary petition, in which they sought relief to their tender consciences, and their scruples respecting conformity to the rubric of the prayer-book. This petition, which was eagerly circulated, embodied all their old grievances, with many new objections to the whole discipline and doctrine of the established church, and they demanded a reformation, which, if it had been granted, would have left the field entirely their own. In thus attempting to prejudice the opinions of the king against the church of England, they gave great offence to the two universities; which united in answering their petition. Archbishop Whitgift also exerted himself with the king and court to continue the church in that state in which it had been left at the demise of Elizabeth. With the view of composing some of the differences which then existed, and of obtaining information on some particular doctrines, the king issued a proclamation, "touching a meeting for the hearing and further determining things pretended to be amiss in the church." This meeting or conference took place at Hampton Court, on the 14th, 16th, and 18th of January, 1604, and "the sum and substance" of what then took place was published by Dr. Barlow, one of the divines who was present at the conference. The archbishop of Canterbury, with several other bishops and deans, on the one side, met with Dr. Reynolds, Dr. Sparks, Mr. Newstubb, and Mr. Chadderton, on the other, as plaintiffs for the puritans. The king shewed himself well acquainted with the subjects under discussion, and well disposed to be informed where he was ignorant. Some changes were made; and

ample explanations were furnished on those difficulties which the puritans started, and their objections were answered. The church was confirmed on the footing which the friends of peace and unity, sound learning, and sober religion, desired. Some additions were made to the catechism in that part which treats of the sacraments, and which were drawn up by Dr. Overall, then dean of St. Paul's, with some rubrical alterations and arrangements respecting the lessons in the church service. The puritans derived no advantage from this conference, and therefore they rejected its conclusions; they would yield nothing, but claimed every thing, especially a dispensation from the use of the clerical habits, and from the ceremonies of the church. With this the king would not comply, and on the breaking up of the conference he issued a proclamation to enforce conformity with the rubrics; and it was debated by those puritans who adhered to the church and enjoyed livings, whether or not they should remain in it, or entirely separate from it.

Upon this disappointment of their hopes of establishing the holy discipline, the puritans hit upon a plan to save their reputation for consistency, and yet still to enjoy their preferments. They betook themselves entirely to preaching, and procured lectureships where they were not required to read the prayers or even to attend at them; and those who held parish churches employed conforming curates, to whose "tattered crape" they committed the "drudgery of prayer," and who cheerfully complied with all the rites and ceremonies of the church. By this contrivance the puritan clergy saved their reputation with the people, and found opportunities of poisoning the minds of their hearers against the reverent and laudable offices of the church, and also of her catholic and sober doctrines¹. But that which chiefly advanced the puritan schism was the advancement of Dr. George Abbot to the primacy, who was a weak, prejudiced, and bigoted man, to whom may be ascribed much of the misery which befel his successor and the church, by his encouragement of the puritan faction, in and out of it. The archbishop in his private life is justly entitled to the praise of sincerity and probity; but his indolence and his doctrinal views were favourable to the propensities of the puritans for the destruction of the church. Lord Clarendon says, "he considered the christian religion no otherwise than as it abhorred and reviled popery, and valued those men most who did that most furiously." Railing was one of the tactics of the puritans, who were instructed in that way by Cummin, the papist and first

¹ Neal's Puritans, i. 532.

extemporizer, and who was rewarded by the pope for setting that bowl a rolling. "Yet," he continues, "that temper in the archbishop, whose *house was a sanctuary* to the most eminent of that factious party [the puritans], and who licensed their most pernicious writings, left his successor a very difficult work to do, to *reform* and reduce a church into order, that had been so long neglected, and that was so ill filled by many weak and more wilful churchmen." But, indeed, Fuller's description of nonconformity is but too true: "For, now," says he, "nonconformity in the days of Edward was *conceived*, which afterwards, in the reign of queen Elizabeth, was *nursed* and *weaned*, which, under king James, grew up a *young youth* or *tall stripling*; but towards the end of king Charles his reign shot up to the *full strength* and *stature* of a man, able not only to cope with, but to *conquer* the hierarchy, its adversary."

In the puritans and papists two extremes met in their efforts and united in their practices to extirpate the church of England, even although the crown and the constitution should be overthrown in the struggle. At that time the church of England was oppressed and crushed betwixt the upper millstone of popery, and the nether millstone of puritanism. The latter were constantly railing at the pope and popery; and the former, while they heartily despised the puritans, made them most useful allies, and fomented the divisions among them, and they agreed, according to circumstances, in behalf of presbytery, anabaptism, independency, or any other new tenet that might be prejudicial to the church of England, and that might increase the divisions by which she was afflicted. "Religion and liberty were equally the pretext of all,—both excellent and worthy, the former of all reverence, and the latter of all respect; but each utterly incompatible with those vices, with that turbulence, with that malignity, with that hypocrisy, aye, and with that intolerance, of which these pretenders, papists, and puritans, monks, and covenanters, were almost universally and habitually guilty." The seeds of religious and political dissension were liberally sown and took deep root in king James's time; in fact "the stripling" had grown to vigorous manhood at the accession of Charles to the crown, and of archbishop Laud to the primacy; and Charles was immediately assailed on meeting his first parliament with a long list of puritan grievances to be redressed, the laws to be put in execution against papists, the growth of arminianism to be suppressed, and bishop Montague to be punished for his *Apello Cesarem*. Charles made a capital mistake in commencing the levy of troops for the prosecution of the war which had been entailed

on him from the preceding reign, before he had convened his parliament to provide the necessary supplies. The crafty puritan faction in the commons saw his error, and adroitly seized on the opportunity for pushing on their grievances. The army was levied ; but there were neither pay nor munitions of war provided, and instead of voting supplies to the king, he was presented with grievances. He was therefore obliged to dissolve his first parliament, although the troops were levied, and the war was begun, which former parliaments for the previous seven years had urged his father to commence. "Posterity," says Dr. Nicholls, "will be obliged to curse the memory of these men, whose unreasonable dealings with the king put him upon unreasonable methods for carrying on this war, in which they had deserted him, and which afterwards brought on one dispute upon the back of another, till the kingdom was blown up into the flames of a civil war."

Numberless petitions were presented to the several parliaments which met during Charles's reign, craving redress of grievances ; and the commons gave every encouragement to the petitioners, more especially to those which were the most violently worded against the church. As time advanced, the petitioners became more audacious, and their petitions were turned into remonstrances for the total extirpation of episcopacy ; and to make "root and branch" work with the church. These were soon followed by the joint and most seditious libels of Mr. Prynne, a lawyer, Mr. Burton, a puritan minister, and Dr. Bastwick, a physician, contained in a most abominable pamphlet, called *Flagellum episcoporum Latialium*, "venomous in the extreme against the functions, actions, and proceedings of the bishops." For their many execrable libels they were tried in the court of star-chamber, and condemned ; but so libellous and full of scandal were their answers, that no counsellor would put his hand to them. They were justly and not too severely punished by fine and imprisonment ; but in addition to these there was a barbarous punishment superadded, of slitting their noses and cutting off their ears, which was then the law and practice of England, and which has since occasioned all the unfounded accusations of tyranny which have been made against both Charles and Laud, although that barbarous law was in existence long before they were born. The commons, however, released these atrocious and blasphemous libellers, and passed a resolution that the proceedings against them, and their sentences, were against law and the liberty of the subject, and so void. This reversal of a solemn sentence

of a lawful court, and after a full and patient hearing, shews by what spirit the commons were actuated, and their evident determination to second the united efforts of the papists, the covenanters, and the puritans, for the extirpation of the church of England. The triumph of these base libellers encouraged the same malignity and licentiousness in other puritans, and lord Clarendon says, that "from this time the licence of preaching and printing increased to that degree, that all pulpits were freely delivered to the schismatical and silenced preachers, who till then had lurked in corners or lived in New England, and the presses at liberty for the publishing the most invective, seditious, and scurrilous pamphlets, that their wit and malice could invent." The influence of the puritan faction became more extensive among the people, and the plots of the papists and puritans daily increased and extended. "The popish party found the archbishop [Laud] inflexible, and the king equally so, in maintaining the protestant establishment. They therefore joined issue with the puritan leaders in fomenting the broils which *began* in Scotland, which, extending to England, might, they hoped, give them the means they so long sought in vain; and, therefore, the archbishop was by them devoted to death, in the attainment of which purpose they were ably aided by puritan passion and prejudice¹."

In the year 1640, the puritan faction obtained a complete ascendancy in the commons, and the Long Parliament became the head of all the malcontents that had been infected by the Calvinistic leaven of hatred to episcopacy and the liturgy. The popular clamour for a reform of the church commenced with long and violent declamations against its government, and an assault upon its revenues, which were followed up by petitions signed by the lowest of the people; but especially by alderman Pennington's famous London petition, on the defects of the liturgy, ritual, and ceremonies of the church. In compliance with these petitions, a bill passed the commons to remove the bishops from their seats in the lords; and a committee of religion was appointed to remodel the government, doctrine, and worship of the church of England. In the evening of the same day in which Strafford was murdered, Dr. Hackett addressed the commons in behalf of the deans and chapters, and Dr. Burgess replied. The universities petitioned in their favour, and many petitions from the country were presented in favour of episcopacy. The archbishop of York

¹ Bishop Walker's *Life of Laud*.

offered to bring in a bill to enforce the residence of bishops, and for their preaching every Sunday, on the penalty of being brought before a magistrate for neglecting this duty, and for preventing the clergy from being magistrates. His plan proposed the degradation of the rulers of the church and the plunder of their revenues ; but it did not go far enough for the spirit of the age, and it happily was rejected. It was voted in the commons that every county should be adiocese, that twelve divines, with a president, should rule in each, that there should be annual diocesan synods, and a national synod every third year, whose canons, *when sanctioned by the commons*, should be binding.

After releasing the three libellers already mentioned, they condemned the canons which had been enacted in a recent convocation, and also archbishop Laud, as having been in their opinion the author of them. They appointed a committee to inquire into all his former actions and opinions ; and soon after they impeached him in the name of all the commons of England of high treason, and committed him to the custody of the gentleman usher, in whose house he remained for ten weeks, when he was committed to the Tower, and assailed by the way by the rudest railings of the lowest rabble. He regularly attended the chapel of the Tower, and was subjected, like those saints of whom the world was not worthy, to the "cruel mockings" and the most insolent railings of the malignant and factious preachers, which were purposely sent there to vex and insult him. This species of persecution he endured with christian meekness and patience ; whilst his piety and charity seemed to increase as his persecutors advanced in their unmerited reproaches, and in their course of iniquity. On the 31st of May, 1643, his old enemy and libeller, Prynne, entered his prison and seized on his diary, in which all the transactions of his life were entered, but which were never intended for the public eye. As there really was no just ground of accusation against Laud, the enemies of the church adopted this method of creating materials ; and they selected such things, and altered and omitted passages of others, so as to suit their infamous intentions, which shows the badness of their cause and the malignancy of the means to which they were obliged to resort, to accomplish their purpose. The Scottish commissioners took the initiative in his persecution. A charge, says Heylin, "was laid against him in the house of peers by the Scots commissioners for doing ill offices and being an incendiary between the two nations such was the charge exhibited by the Scots commissioners, in which was nothing criminal enough to de

serve imprisonment, much less to threaten him with death¹. They charged him with "novations in religion," meaning the liturgy, which had been proposed for the church of Scotland, but of which he was neither the composer nor the compiler; and for that and sundry other "novations," as they called them, they "challenged the prelate of Canterbury as the prime cause on earth." And thus it is asserted by a modern writer, that "Laud was the victim of presbyterian venom, his death was the fruit of presbyterian heresy and rebellion, of presbyterian cant and hypocrisy, and of presbyterian blood-guiltiness²."

After an imprisonment of three years, and prompted by the Scottish presbyterian commissioners, his jurisdiction and patronage seized, and his estate sequestered, archbishop Laud was impeached of high treason before the house of peers. Twenty-one articles were exhibited against him; but with every disadvantage by the loss of his papers, and which were now turned against him, he made not only a complete but a triumphant defence. The thirteenth article accused him of having "maliciously and traitorously plotted and endeavoured to stir up war and enmity between his majesty's two kingdoms of England and Scotland, and to that purpose has laboured to introduce into the kingdom of Scotland divers novations both in religion and government." Serjeant Wilde, with other four barristers, were ordered to conduct the prosecution, and Prynne, his mortal enemy, was appointed to prompt them from his diary, and private papers. That part of his defence is only here cited to shew how unjust and tyrannical the persecution was, and that nothing but innocence could have supported and prompted him under such heavy disadvantages. He desired the lords would be pleased to remember the hardships put upon him since his confinement; and he reminded them that the key and use of his study at Lambeth, both books and papers, were taken from him; that his apartment in the Tower was searched by Prynne, and twenty-one bundles of papers, *prepared for his defence*, were seized and carried off, not three of which had been returned; that this search was made before the impeachment was formed into any particular articles; that his pockets were examined, his diary and prayer-book taken away, and afterwards used against him; and that all this was done not to *prove* a charge, but to *make* one. That all books of council-table, star-chamber, high commission, signet office, his own registers, and the registers of Oxford and Cambridge, had not only been thoroughly inspected for matter against him,

¹ Life of Laud, 346-47.

² Epis. Mag. for Sept. 1840, p. 479.

but he had likewise been denied the perusal of these records and that this restraint was a disadvantage to his defence. The charges against the primate, when reduced to distinct heads, amounted to—"1, A traitorous endeavour to subvert the fundamental laws of the realm, and to introduce arbitrary and tyrannical government. 2, a traitorous endeavour to subvert God's true religion, by law established, and instead thereof to set up popish superstition and idolatry. 3, that he laboured to subvert the rights of parliament, and the ancient course of parliamentary proceedings." And serjeant Wilde in his speech maintained that he "was the author of all the extravagances in the government, and all the concessions in the state ;—and that he was guilty of treason in the *highest altitude*." After a trial, which lasted upwards of twenty days, his enemies and persecutors were unable to prove him guilty of treason either in the highest or in the lowest *altitude* ; and they were, therefore, obliged to have recourse to a bill of attainder.

A bill of attainder easily passed the commons, on the 16th of November ; but it met with more resistance in the upper house, where some sense of justice still remained. The commons threatened the lords with "the pressure from without" of a mob petition, which had hitherto been so successful ; and, contrary to every sentiment of justice and the spirit of the constitution, they sent a message that "they would do well to agree in the ordinance, or else the multitude would come down and force them to it." Notwithstanding this threat, the judges unanimously declared "that nothing charged upon the archbishop was treason by the law of the realm," and at a conference with the commons, the lords declared themselves of the same opinion. And now, says Dr. Collier, "to smite more solemnly 'with the fist of wickedness,' a *fast* was ordered for Christmas-day ! If the two houses had been Jews, they could hardly have put a more open affront upon christianity." "In a thin and slender house, not above *six or seven in number*," the bill was passed, and after a mockery of *puritan* justice the primate was condemned to be beheaded. He pleaded the king's pardon under the great seal, signed about two years previously ; but both the houses overruled this protection, and it was declared, that "the king could not pardon a judgment of parliament," nor "a case of treason against the kingdom !"

The archbishop now prepared for death, and on the 10th of January, 1644, he was beheaded on Tower-hill, being, as he himself said in his speech on the scaffold, "not only the first archbishop, but the first man that ever died by an ordinance in parliament." He ascended the scaffold with an air of resolu-

tion and cheerfulness, and delivered a speech to the spectators with a distinct and audible voice, in which he said—"I have been long in *my race*, and how I have *looked to Jesus, the author and finisher of my faith*, He best knows. I am now come to the end of *my race*, and here I find the cross a death of *shame*; but the shame must be despised, or no coming to the right-hand of God. Jesus despised the shame for me, and God forbid but that I should despise the shame for him." He cleared the king of being popishly affected: "a calumny," he said, "hath passed upon his majesty as if he designed to bring in popery; but on my conscience (of which I shall give God a very present account), I know him to be as *free* from this charge as any man living; and I hold him to be as sound a protestant (according to the religion by law established) as any man in this kingdom." He lamented the calamities that had fallen upon the church of England, which, he said, was like an oak cleft in pieces with wedges made out of its own body; that iniquity and profaneness stalks under the *pretence* of godliness; that the *substance* of religion is lost; and that the church which stood firm against the attacks of the jesuits, is terribly battered by her own sons. For his own belief he declared himself of the communion of the church of England, established by law; and notwithstanding the unreasonable clamours raised against him, had all along lived in that persuasion. Sir John Clotworthy, a puritan rebel, disturbed his last moments with impertinently asking him what text of Scripture was most comfortable to a dying man? The primate meekly answered, in Latin—"I desire to depart and to be with Christ." But persevering in his unseasonable barbarity, sir John said, "there must be an *assurance* to found that desire upon;" to which Laud replied, "that assurance was to be found *within*, and that *expression* could not reach it." Seeing that sir John was determined to persecute him, Laud moved to the block, asking the crowd to give him "room to die," and kneeling down, after a short prayer, his head was struck off at one blow.

The papists who cut off Laud's head by the instrumentality of their tools, the puritans and presbyterians, rejoiced exceedingly that the greatest opponent of popery had been murdered. Sir Lionel Tolmach says, "that he was at Rome at that period, and had the news from a certain abbot, to whom sir Lionel answered, 'you are *sorry* for that, I presume.' The abbot replied, 'that they had more cause to *rejoice*, that the *greatest enemy* of the church of Rome in England was cut off, and the *greatest champion of the church of England* silenced." And Evelyn, in his *Memoirs*, says, at Rome "they looked upon

him [Laud] as one that was a *great enemy* to them, and stood in their way. The author of the History of King Charles, who was Laud's enemy, says, of his conference with Fisher, the jesuit, that it was "the exactest *master-piece* of polemic divinity of any extant at that time and he declared himself therein to be so little theirs [the papists] as he had for ever disabled them from being so much their own as before they were." Another enemy, Dering, confesses that in his Conference, especially the last half of the book, "*he had muzzled the jesuit*, and should strike the papists under the fifth rib when he was dead and gone; and being dead, that wheresoever his grave should be, *Paul's* would be his perpetual monument, and his own book his epitaph." Clarendon, his contemporary, says of him, "He was a man of great parts and very exemplary virtues, allayed and discredited by some unpopular natural infirmities; the greatest of which was (besides a hasty sharp way of expressing himself) that he believed *innocence of heart*, and *integrity of manners*, was a guard strong enough to secure any man in his voyage through the world, in what company soever he travelled, and through what ways soever he was to pass; and surely *never any man was better supplied with that sort of provision*: an excellent preacher, and a scholar of the most sublime parts¹."

And thus, says Heylin, "*fell Laud, and the CHURCH FELL with him*;" and the same day that the lords agreed to his attainder, they passed an ordinance that the Book of Common Prayer should be laid aside, and the Directory used instead of it. "The lords and commons assembled in parliament taking into serious consideration the manifold inconveniences that have arisen by the Book of Common Prayer in this kingdom, and resolving, according to their covenant, to reform religion according to the word of God, and the example of the best reformed churches, have consulted with the reverend, pious, and learned divines called together for that purpose; and do judge it necessary that the said Book of Common Prayer *be abolished*, and the Directory for the public worship of God, hereinafter mentioned, be observed in all the churches within this kingdom." This wretched Directory, which was substituted for the most sublime prayers that ever were compiled, only prescribed *general rules* for conducting public worship, and although it is bound up with the Westminster Confession of Faith, and is of standard authority among all the different bodies of presbyterians, yet its directions are not followed in

¹ Bishop Walker's Life of Laud, in Scottish Episcopal Magazine, anno 1822.

the present mode of conducting their public worship. The Directory recommends the Lord's Prayer not only as a pattern for other prayers, but as a most comprehensive form of devotion, yet its use was only *recommended*, not enforced: the christian Creed, and the Ten Commandments, are entirely and designedly omitted to be recommended in it, and the dead were buried without any religious rites. Upon this the king remarked, "Some men, I hear, are so impatient not to use in all their devotions their own invention and gifts, that they not only disuse (as too many), but wholly cast away and condemn the Lord's Prayer; whose great guilt is, that it is the *warrant* and *original pattern* of all set liturgies in the christian church." By a second ordinance, if any person preached or published any objections to the Directory, he was to forfeit such a sum of money as his judges thought proper to impose, provided the sum was not less than five pounds, nor more than fifty. And those who read the common prayers, either in churches or in their families, were ordained to forfeit five pounds for the first offence against this most inquisitorial ordinance; ten pounds for the second; and to suffer a year's imprisonment for the third, without bail or mainprize. On hearing of this ordinance, the king again says, in the same paper, "That these men, I say, should so suddenly change the liturgy into a directory; as if the spirit needed help for invention, though not for expression; or, as if matter prescribed did not as much stint and obstruct the spirit as if it were cloathed in and confined to fit words (so slight and easy is that legerdemain which will serve to delude the vulgar). That further, they should use such severity, as not to suffer, without penalty, any to use the Common Prayer-book publicly, although their consciences bind them to it, as a duty of piety to God and obedience to the laws." And then, in the conclusion of his prayer, which is added to this paper, he says—"Lord keep us from formal hypocrisy in our hearts; and then we know that praying to thee, or praising of thee (with David and other holy men), in the same form cannot hurt us.—Give us wisdom to amend what is amiss within us, and there will be less need to amend without us.—Evermore defend thy church from the effects of blind zeal and over bold devotion¹."

Such an ordinance is, without any question, persecution of the worst sort; yet we never hear churchmen complaining of the puritan and covenanting persecution which fell upon their forefathers, because the puritans have had the whole benefit of

¹ Eikon Basilike, i. 79-84.

such an outcry as they raised against the enforcement of the sober and ancient ceremonies of the church, which had been in existence before the puritan faction were heard of, and which they themselves acknowledged to be *things of indifference*. "Those puritans have yelped so long and so loudly that their sufferings *alone* are pitied, and we seem almost universally disposed to throw into the shade the excesses of which they were guilty, and the severe sufferings which they occasioned to the greatest and the best men in the church and nation. But it is maintained, that the puritans were driven to excess by persecution. Now we would remark, in the first place, that unless the execution of the law—and that law of conformity not unreasonable in the estimation of the best men of the age—be persecution, there was no persecution in England; and, in the next place, we would remark, that were it more real than it is, it would, after all, be a poor excuse among christian men and ministers for the excesses of which they were guilty." From the immission of that profane and malignant spirit on the people, engendered by the union of the evil and malevolent propensities of the popish priesthood and the puritan ministry, the clergy of the church of England suffered a long and very severe persecution. Under the name of "*scandalous ministers*," the clergy were imprisoned, plundered, and violently assaulted, by the different sectaries which the jesuits had multiplied among the puritans. The bishops were assaulted by the rabble on their way to the house of lords, and prevented from taking their seats in it; on this they protested to save their rights, when the commons accused them of high treason, and desired that the said bishops "might be forthwith sequestered from parliament, and committed unto safe custody." The usher of the black rod was ordered to bring them to the bar of the house, whence they were sent to the Tower, and remained there till the peers released them on bail on the 2d May, 1642. The houses of the prelates were turned into prisons for the inferior clergy, after they had filled all the common jails with them. Leighton, who had been punished for a seditious libel, was made keeper of Lambeth Palace after it was turned into a prison; "where he did, to some purpose, make reprisals for his damages, and persecuted the purses of the loyal clergy and gentry with as much rigour as his masters did their persons." As both the prisons and the palaces were all filled, and yet more room was wanted for the suffering clergy and loyalists, a new device was fallen upon of imprisoning them *in ships* in the river, which is thus described by lord Clarendon:—"Not only all the prisons about London were quickly

filled with persons of honour, and great reputation for sobriety and integrity in their counties, but *new prisons* were made for their reception, which was a new and barbarous invention. Very many persons of very good quality, both of the clergy and laity, were committed to prison on board ships in the river Thames, where they were kept under decks, and no friends suffered to come to them, *by which many lost their lives.*" And another author says, "They were put under hatches where the decks were so low that they could not stand upright; and yet they were denied stools to sit upon, or so much as a burden of straw to lie upon. Into this little ease of a small ship they crowded no less than fourscore persons of quality; and that they might stifle one another, having no more breath than they sucked from one another's mouths, most maliciously, and certainly to a murderous intent, they stopt up all the small augur-holes and other inlets which might relieve them with fresh air—an act of such horrid barbarism, that no age, no story, no rebellion, can parallel. Besides this barbarous treatment, many of the clergy and laity were sent to the plantations, and some to Algiers, and there *sold to the Turks for slaves!*—Those clergy who chiefly suffered were the most distinguished men for learning, piety, loyalty, or that held high stations in the church; and inferior courts of inquisition were established in every county of England, to whom was committed the power to eject from their livings all those who, in the cant of the times, were reckoned "ignorant, insufficient, negligent, scandalous, and erroneous."

It has been shown, upon the best evidence, that by these courts of inquisition not less than *eight thousand* of the clergy of the church of England were turned out of their livings to make way for the *godly* brethren, who were forcibly settled in their parish churches. These clergymen were reduced to beggary; and, as above noticed, most of them were imprisoned, while their property was seized and squandered by men who had constituted themselves ministers, and who eagerly grasped at commendums and pluralities, which before were the objects of their reforming reproaches. Archbishop Bramhall says, "Let Mr. Baxter sum up in one catalogue all the non-conformists throughout the kingdom of England, ever since the Reformation, who have been cast aside or driven away, I dare abate him all the rest of the kingdom, and only exhibit the martyrologies of London and the two universities, or a list of those who, in these late intestine wars, have been haled away to prisons, or chased away into banishment, by his [Mr. Baxter's] own party in these three places alone, or left to the

merciless world to beg their bread, for no other crime than loyalty, and because they stood affected to the ancient rites and ceremonies of the church of England, and they shall double them for number; and for learning, piety, industry, and love of peace, exceed them incomparably; so as his party, as he glorieth so much in, will *scarcely deserve to be named* in the same day. And if he compare their persecutions, the sufferings of his *supposed* confessors will appear to be but flea-bitings in comparison of theirs. But, after all this, the greatest disparity remaineth yet untouched—that is, in the *cause* of their sufferings;—the one suffered for *faith*, and the other [the puritan] for *FACTION*¹.”

THE REFORMING zeal of the puritans led them to commit the most horrible sacrilege, and to dishonour the houses of God, where the morning and the evening sacrifice of praise and thanksgiving had been offered daily for sixteen centuries without intermission. And, says bishop Hall, “it is no other than tragical to relate the carriage of that furious sacrilege, whereof our eyes and ears were the sad witnesses. What work was here! What beating down of walls,—what tearing up of monuments,—what pulling down of seats,—what wrenching out of irons and brasses from the windows and graves,—what defacing of arms,—what defacing of curious stonework, that had not any representation in the world, but only of the cost of the founder and the skill of the masons,—what tooting and piping upon the destroyed organ pipes! and what a hideous triumph on the market-day, before all the country, when, in a kind of sacrilegious and profane procession, all the organ-pipes, vestments, with copes and surplices, together with the leaden cross, which had been rudely sawn down from above the grave-yard pulpit, and the service-books and singing-books that could be had, were carried [in procession] to the fire in the public market-place; a hired wretch walking before the train in his cope trailing in the dirt, with a service-book in his hand, imitating in an impious scorn the tune, and usurping the words of the litany used formerly in the church. Near the public cross all these monuments of idolatry must be sacrificed in the chair; not without much ostentation of a zealous joy in discharging ordnance, to the cost of some who professed how much they had longed to see that day. Neither was it any news upon this guild day, to have the cathedral, now open on

¹ Bramhall's Vindication, &c. from the Presbyterians' charge of Popery.—Walker's Sufferings of the Clergy.—Clarendon's History of the Rebellion.—Collier's Ecclesiastical History of Great Britain.—Heylin and Bishop Walker's Lives of Archbishop Laud.—Neal's History of the Puritans.

all sides, to be filled with musketeers waiting for the hussars' return, drinking and tobacconing as freely as if it had turned alehouse." It was by the ill-omened alliance of treason and fanaticism that such sacrilege was committed, and our churches were turned into stables and barracks. "Religion was as common in those days as ignorance and impudence are now. You could not stir, but texts of Scripture flew about your ears like hail-shot. Every cobbler was for dabbling in divinity, and venturing beyond the last. Your baker could talk of nothing but the old leaven: the blacksmith, with a spark of zeal in his throat, would be hammering out hobnails and heresy; and the grocer was always retailing religion. You could not buy an ounce of pepper, but you had a pound of edification into the bargain, and the shopman would repeat you a chapter while he was twisting his packthread."

WHEN THE LONG PARLIAMENT found it necessary to enter into a league with the Scots Covenanters for the extirpation of the church in England, as the Scots had already extirpated that of Scotland, they resolved to call an assembly of divines, as an effectual battery for reformation, as the Scots were determined that the price of their alliance should be "an uniformity of doctrine and discipline between the two nations." The parliament therefore passed an ordinance, on the 12th of June, 1643, "for the calling of an assembly of learned and godly divines and others, to be consulted with by the parliament, for settling the government and liturgy of the Church of England, and for vindicating and clearing of the doctrine of the said church from false aspersions and interpretations." This Assembly was not convoked agreeably to the standing laws for the sending up proctors for the clergy to the convocation, nor elected in the presbyterian manner by the ministers; but the parliament appointed all the members, and therefore its foundation was erastian. The ordinance gave each member of the House of Commons the nomination of two or more ministers for each county, and the whole number amounted to one hundred and twenty; and their debates were confined to such things only as the parliament should dictate. One of the chief things which their masters proposed, was, to take away the present church government by bishops, &c., being, as they said, "burdensome to the kingdom, and a great impediment to the Reformation, and very prejudicial to the state and government of this kingdom." If any difference of opinion should arise, the assembly were to represent it to parliament, with their reasons, when the house would give farther instructions. Amongst those learned and godly *divines* were thirty members

of both houses of parliament. There were a few episcopallians, and about thirty presbyterians, but the greatest number were independents. The Assembly were not allowed to elect their own president; but as the parliament had selected the members, so they appointed Dr. Twisse, of Newbury, to be their prolocutor; and still farther to show their utter insignificance, and their subservience to parliament, the following proviso was inserted in the ordinance which called them together:—"Provided always, That this ordinance shall not give them, nor shall they, in this assembly, assume or exercise any jurisdiction, power, or authority ecclesiastical whatsoever, or any other power than is herein particularly expressed." Each minister was allowed four shillings and ninepence per day, and was screened from the penalty of non-residence. Whatever points could not be adjusted in the Assembly were to be referred to parliament, as the ultimate judges of the controversy.

This Assembly was composed of persons disaffected and hostile to the church of England; and the divines, as they were called, were mixed with laymen—a thing never before heard of in England; and the summoning of it by the two houses was a daring encroachment on the royal prerogative, as well as, upon their own principles, the headship of Christ. The king was much incensed when he heard of this Assembly, and on the 22d of June he issued a proclamation, "prohibiting all persons mentioned in that pretended ordinance assembling for that purpose; declaring the Assembly *illegal*; that no acts published by them ought to be received by the subject; and that the allowing the Assembly-men wages by a tax upon the public, was an unheard-of presumption." As soon as the royal proclamation appeared, the few episcopal clergy withdrew from this extraordinary synod, and the parliament appointed independents to supply their places. On the 1st of July the Assembly met in Henry the Seventh's chapel in Westminster Abbey, and their first act was to petition parliament for a fast before the commencement of business, of which petition, bishop Kennet says, "impartially speaking, it is stuffed with schism, sedition, and cruelty." A fast was appointed, Dr. Twisse preached, and both houses of parliament attended. Parliament sent the Assembly an order to review the thirty-nine Articles; and on the 7th of July the assembly appointed a committee, to consider what amendments were proper to be made in the doctrinal articles of the church, and they spent ten weeks in debating on the first fifteen, with the view "of

rendering their sense more express and determinate in favour of Calvinism;¹" which is an undeniable acknowledgment that the Calvinian party did not consider the articles of the church of England bore any tendency that way.

On Monday, the 25th of September, 1643, the Scottish commissioners met the Assembly and both houses in St. Margaret's church, for the purpose of accepting and swearing the Solemn League and Covenant; when, says Baillie, we "were welcomed in the Assembly by three harangues from Dr. Twisse, Mr. Case, and Dr. Hoyle. Before their [the Scots commissioners] coming, the Covenant had passed, but with some little alteration. This they took in evil part, that any letter should be changed without our advice; but having a committee from *both houses*, and the assembly of the most able and best-affected men appointed to deal with them in that and all other affairs, we shortly were satisfied, finding all the alterations to be for the better²." At this solemnity White "engaged in prayer" for an hour; then Nye, an independent, endeavoured, in a long speech, to justify the Covenant from Scripture precedents, and Henderson, a Scots commissioner, declared that the estates of Scotland had resolved to assist the parliament of England in carrying on their ends and designs of prostrating the monarchy and extirpating the church. Then Nye read it article by article with an audible voice from the pulpit, each person standing up uncovered, and with his right hand bare, held up to heaven, swore to the performance of it. "Being all agreed, as the Assembly and House of Commons did swear and subscribe that Covenant, the *little House of Lords* did delay, for sake of honour, as they said, till they found our nation willing to swear it as then it was formed³." Neal has the honesty to admit, that "as it was a *test* of a mixed nature, and contained some obligations on conscience which wise and honest men might *reasonably scruple*, who were otherwise well affected to the protestant religion and the liberties of their country, *the imposing it as a test can never be justified*⁴." It was, however, forced upon the people of England, under severe penalties, by all persons above the age of eighteen years. Alarmed at such a dangerous combination of religious intolerance and fanaticism with armed rebellion, the king issued a proclamation, on the 9th of October, forbidding all his subjects either to tender or take this seditious and treasonable

¹ Neal's History of the Puritans, ii. 215. ² Baillie's Letters, ii. 102.

³ Letters, ii. 101-2.

⁴ Vol. ii. 223-24.

Covenant; but this prohibition came too late, for both houses of parliament, the citizens of London and Westminster, and the army, had taken this treasonable and unjustifiable test.

AFTER THE COVENANT had been signed, the parliament admitted the four Scots presbyterian ministers, Henderson, Gillespie, Rutherford, and Baillie, with the ruling elders, lord Maitland, afterwards the earl and duke of Lauderdale, the earl of Lothian, and the celebrated Johnston, of Warriston, and appointed them to be constituent members of this Assembly. On Monday, the 20th of November, Baillie says, the Scots commissioners sent to both houses of parliament for a *warrant* to enable them to sit in the Assembly, which was readily granted, and Mr. Henderson presented it to the prolocutor, who sent out three of their number to introduce them to the meeting. "Here," he says, "no mortal man may enter to overhear, let be to sit, without an order in writing from both houses of parliament." Of Dr. Twisse, he says, "he was the most unfit of all the company for any action; so after the prayer he sits mute. It was the *canny* [cunning] convoyance of these, who guide most matters for their own interest, to plant such a man of purpose in the chair¹."

IN ALL THOSE PARTS where the authority of the parliament was received, the signing of the covenant was pressed with great severity, and which brought a horrible persecution on the clergy of the church of England, who all refused to sign this most traitorous bond of rebellion. They were turned out of their houses, and were not suffered to compound for their personal or real estates; and they were forcibly ejected from their benefices, which were immediately filled with presbyterians, unqualified students from the universities, and refugees from Scotland and New England. Many of those puritans who had formerly declaimed against pluralities, reconciled their *interest* to their consciences, and held two or three livings. The clergy were sequestered and imprisoned, and a hundred and fifteen of them within the bills of mortality were so treated, their houses plundered, and their wives and children turned into the streets. In short, says Dr. Collier, "it is observed there were more turned out of their livings by the presbyterians in three years than were deprived by the papists in queen Mary's reign; or had been silenced, suspended, or deprived by all the bishops from the first year of queen Elizabeth to the time we are upon. And that this might be done with some colour of justice, they set by a committee for *plundered* ministers²." Even Neal admits

¹ *Letters*, ii. 107, 108.

² *Ecclesiastical History*, viii. 268, 269.

that "great complaints have been made, *and not without reason*," he says, "of the execution this test did upon the king's clergy [of the church of England] throughout the kingdom. It was *a new weapon* put into the hands of the committees [for plundered ministers], which enabled them with more ease and certainty to *detect malignant* or disaffected ministers; for instead of producing a number of witnesses, as had been the method hitherto, they now *tendered the covenant*¹." And, he adds, "it ought to be remembered that none were turned out or imprisoned for their adhering to the doctrine or discipline of the church of England *till after the imposing of the Scots covenant*, but for immorality, false [*i. e.* catholic] doctrine, non-residence, or *for taking part with the king* against the parliament." And, he continues, "from the time of *taking the covenant*, we may date the *entire dissolution of the hierarchy*, though it was not yet abolished by an ordinance of parliament. There were no ecclesiastical courts, no visitations, no wearing the habits, no regard paid to the canons or ceremonies, or even to the common prayer itself²."

After the episcopal clergy, in obedience to the king's command, left the Assembly, there remained three grand parties, the presbyterians, the erastians, and the independents. For the sake of preserving the Scots alliance, it was resolved to establish the presbyterian form of government, which they advanced into a *jus divinum*, or divine institution, derived, they said, expressly from Christ and his apostles; but which was not acknowledged by the other parties without a great deal of controversy, "which," says Neal, "prevented their laying the top-stone of the building, so that it *fell to pieces* before it was perfected." The pressure of political expediency preserved some concord betwixt the discordant parties in this Assembly; nevertheless they could never cordially coalesce, and dissensions broke out between the presbyterians and the independents, after which they began to eye each other with jealousy, to separate, and finally, most cordially to hate and to devote each other to extirpation. In consequence of their dissensions, the words *dissenting brethren* were first heard in England, and which have been kept up ever since. The erastians were most favoured by the parliament, on account of their subserviency to them in their dictation to the Assembly. The independents abhorred monarchy, and desired a republic; they were few at first, and all along opposed the presbyterians, but they increased mightily under the fostering care of Cromwell. The sequestration of the clergy

¹ History of the Puritans, ii. 429.

² Ibid. ii. 236.

brought forward so many applicants for the vacant livings, that the parliament passed an ordinance in October for a committee of ten of the divines to examine and admit them to the ministry. The liturgy having been proscribed, the parliament ordered their creatures to draw up a scheme for *directing* the ministers how to conduct the public worship; and the independents having moved and carried some amendments to it, it passed the Assembly with some degree of unanimity. It was sent down to Scotland for the approbation of the commission of their Assembly, and was there established by a parliamentary ordinance on the 3d of January, 1644, under the title of a Directory for Public Worship.

Dr. Twisse died, and the parliament appointed Charles Herle to succeed him, as prolocutor, on the 22d of July, 1646. The English divines would have been contented with a revision of the Thirty-nine Articles; but the Scots commissioners insisted on a system of their own being adopted, when they and seven others were appointed a committee to prepare the materials. The disputes about discipline occasioned so many interruptions, that it was a year and a half before the Confession of Faith was finished; but on the 26th of November, 1646, the prolocutor returned thanks for the completion of their labours. It was then presented to the commons, as the "humble advice" of the Assembly, and occupied the theological skill of that politico-religious body nearly two years more to examine and discuss the contents; and it was ordered to be published on June 20th, 1648, under the title of "Articles of Religion." The parliament, says Neal, "not thinking it proper to call it a Confession of Faith, because the sections did not begin with the words 'I confess;' nor to annex matters of church government, about which they were *not agreed*, to doctrinal articles; those chapters, therefore, which relate to discipline, as they now stand in the Assembly's confession, were not printed by order of the house, but recommitted, and, at last, laid aside; as the whole thirtieth chapter, of 'church censures and of the power of the keys;' the thirty-first chapter, of 'synods and councils,' by whom to be called, and of what force in their decrees and determinations: a great part of the twenty-fourth chapter, of 'marriage and divorce,' which they referred to the laws of the land; and the fourth paragraph of the twentieth chapter, which determines what opinions and parties disturb the peace of the church, and to be punished by the civil magistrate. These propositions, in which the very life and soul of presbytery consists, never were approved by the English parliament, nor

had the force of a law [*i. e.* an ordinance¹] in this country: but the whole confession, as it came from the Assembly, being sent into Scotland, was immediately approved by the General Assembly and parliament of that kingdom as the established doctrine and discipline of their kirk²."

The presbyterian communion owes its Discipline and the form of its government to a foreigner, Theodore Beza, who succeeded John Calvin, the author of the system of doctrines which go under his name; and it now owes its Confession of Faith and Directory to a *foreign* synod, consisting partly of divines and partly of laymen, of three distinct denominations—erastians, independents, and presbyterians. These again were merely the working committee of the English house of commons, which dictated all their proceedings during their sittings, appointed all their members, and were the last resort for appeals in all disputed cases, and finally examined and corrected the Confession of Faith after the Assembly had drawn it up. It is a complete system of Calvinistic divinity, founded on the ETERNAL DECREES OF GOD, and from which throughout it never deviates. The first two articles are agreeable to the christian faith—the belief in one God, as revealed in the threefold character of Creator, Redeemer, and Sanctifier; and the reception of the Holy Scriptures as the rule of faith. The third article establishes the foundation of their system, and is the point of separation from the faith of the church of England, and of all other christian churches. The faith expressed in the liturgy is founded on the LOVE OF GOD; whereas the faith of the Westminster confession is firmly based on HIS ETERNAL DECREES; and however near the two systems may *appear* to approach each other, yet it is only *in words*, but never in their exact meaning. The eternal decree being the basis of the system of the presbyterian confession, I here insert the whole of the third chapter verbatim:—

"*Of God's Eternal Decree.*—1. God, from all eternity did, by the most wise and holy council of his own will, freely and unchangeably ordain whatsoever comes to pass: yet so, as thereby neither is God the author of sin, nor is violence offered to the will of the creatures, nor is the liberty or contingency of second causes taken away, but rather established. 2. Although God knows whatsoever may or can come to pass upon all supposed conditions,

¹ The transactions of the rebel parliament were never called *acts of parliament*, because they wanted that which alone could give them the force of law—the king's assent—and the consent of the spiritual and temporal peers; but were always termed ORDINANCES of parliament.

² Neal's History of the Puritans, ii. 429.

yet hath he not decreed any thing because he foresaw it as future, or as that which would come to pass upon such conditions. 3. By the decree of God, for the manifestation of his glory, some men and angels are predestinated unto everlasting life, and others foreordained to everlasting death. 4. These angels and men, thus predestinated and foreordained, are particularly and unchangeably designed; and their number is so certain and definite, that it cannot be either increased or diminished. 5. Those of mankind that are predestinated unto life, God, before the foundation of the world was laid, according to his eternal and immutable purpose, and the secret counsel and good pleasure of his will, hath chosen in Christ unto everlasting glory, out of his mere free grace and love, without any foresight of faith or good works, or perseverance in either of them, or any other thing in the creature, as conditions, or causes moving him thereunto; and all to the praise of his glorious grace. 6. As God hath appointed the elect unto glory, so hath he, by the eternal and most free purpose of his will, fore-ordained all the means thereunto. Wherefore they who are elected being fallen in Adam, are redeemed by Christ; are effectually called unto faith in Christ by his Spirit working in due season; are justified, adopted, sanctified, and kept by his power through faith unto salvation. Neither are *any other* redeemed by Christ, effectually called, justified, adopted, sanctified, and saved, *but the elect only*. 7. The rest of mankind, God was pleased, according to the unsearchable counsel of his own will, whereby he extendeth or withholdeth mercy as he pleaseth, for the glory of his sovereign power over his creatures, to pass by, and to ordain them to dishonour and wrath for their sin, to the praise of his glorious justice. 8. The doctrine of this high mystery of predestination is to be handled with special prudence and care, that men attending the will of God revealed in his word, and yielding obedience thereunto, may, from the certainty of their effectual vocation, be assured of their eternal election. So shall this doctrine afford matter of praise, reverence, and admiration of God, and of humility, diligence, and abundant consolation, to all that sincerely obey the gospel."

This article is the keystone of the whole system, and although it is confused and contradictory, yet the doctrine of the "eternal decree," or the "*horrid* decree," as Calvin himself called it, is expressed in such explicit and unequivocal terms, that it is impossible to misconstrue or mistake its meaning. By this decree, every thing that comes to pass is unchangeably fixed; the exact number of men and of angels intended for either happiness or misery is fore-ordained from all eternity,

and in neither case has the decree any reference to the faith and good works of those whose fate it determines. Those destined for salvation are favoured and assisted "for the praise of His glorious grace;" whereas those who are fore-ordained to everlasting misery, are despised and passed by, "for the praise of His glorious *justice*!" There is little *justice* in this mode of procedure, and less mercy; and it contradicts all that is taught in the Bible, where we are told that he that conquers in the good fight—that wins the race,—that believes with the heart, confesses with the mouth, and keeps the faith and the commandments, shall enter into life and receive that crown of righteousness, which the Lord, the righteous judge, will give to all them that love his appearing. But to those who have the eternal decree for ever before their eyes, love and hope is precluded, obedience is useless; the heart of the humble is driven to despair with the dreadful apprehensions of the blackness of darkness and gnashing of teeth, to which they are taught to imagine they are consigned; on the other hand, the presumptuous and self-loving sinner is deluded with the vain imagination that by this eternal decree he has been so elected to eternal felicity that no sinful course can prevent his entering into the joy of his Lord. Both the despair of the one and the presumption of the other are grievous sins, by which the author of all evil in general, and of this doctrine of the eternal decree in particular, draws unwary souls into his net, and hurries them unto destruction. Their doctrine of redemption is in strict conformity with the root from which their whole system proceeds—the eternal decree; and the whole efficacy of our Redeemer's sacrifice is confined, by the same decree, to those *only* who are predestinated to everlasting life¹.

¹ The following dialogue, illustrative of the Calvinistic doctrine of election, between a presbyterian incumbent after the Revolution, and an episcopal layman, was extracted from an old manuscript in the possession of the late Rev. Mr. Jeffery, episcopal clergyman of Lonmay, in the diocese of Aberdeen, and inserted in the Episcopal Magazine for January 1837, having been communicated to the editor by the Rev. James Christie, episcopal clergyman at Turriff, in the same diocese:—

"Incumbent. Well met, neighbour, I have a fair occasion to reason with you for your separation."—"Layman. Indeed, sir, I am not *free* to hear you."

"I. I trow, ye have not *will* to hear me."—"L. That's true enough, for who is it that has *free will*, according to your doctrine?"

"I. You have *free will* to do *evil*, but not to do *good*."—"L. Then if it be a good thing to hear you, I have not *free will* to do it."

"I. Yet you may hear me, if you please."—"L. Will that be a mean to *save* me; and will the hearing of an episcopal man be a mean to *damm* me?"

"I. There's no doubt of that."—"L. Then, my salvation must be *conditional*; and if so, then not absolute."

"I. You know not but that ye *may* be one of the *elect*; and if so, then your salvation is *absolute*, for God sees no sin in his elect. They can never fall away

Christ is represented to have died for the *elect only*—that is, election in conformity with the eternal decree; whereas we are informed in Scripture that he died for *all men*—for the *whole*

from *grace*. But as for the reprobate, they can *do nothing else but sin*.”—
“*L.* Then, sir, the same actions are *sin in one*, and *piety in another*; or, to take it as the poet has it,

‘The saints may do the same things by
The spirit in sincerity,
Which other men are tempted to,
And at the devil’s instance do:
All piety consists therein
In them, in other men all sin.’

Thus, then, if I be one of the *elect*, as the decrees are *absolute*, by your doctrine, and bearing no mark of respect to the *holiness* or *impiety* of the persons, I cannot miss of salvation, though I live in an episcopal church.”

“*I.* Yes, but see are the *godly*, and our doctrine is agreeable to the inclinations of the people, and let me tell you, the *means* are as absolutely foreordained as the *end*.”—“*L.* Then if I be *ordained* to go to your kirk, I cannot but go; and if I stay from it, it can be no otherwise.”

“*I.* But I may be the instrument ordained to *call* you to the use of the means.”—
“*L.* What may be, may not be; and if it be, it will be; and if it be not, it will not be. And if your *call* be *effectual*, it will be *irresistible*; but you see,—I can *resist* you, and so your *call* is *not effectual*.”

“*I.* Our doctrine is true, but it is like you are absolutely reprobated.”—
“*L.* Your doctrine is false, for I believe I’ll be *conditionally saved*.”

“*I.* What! do you deny our Confession of Faith and Catechisms? that “God from all eternity, predestinated, for the manifestation of his glory, some men and angels unto everlasting life, and foreordained others to everlasting death;” that ‘the number of these men and angels is so certain and definite, that it cannot be either increased or diminished;’ and that ‘those of mankind that are predestinated, God before the foundation of the world hath chosen in Christ unto everlasting glory, and that too, out of his mere free grace, *without any foresight of faith, or good works, or perseverance in either of them, or any other thing in the creature*?’ In a word, do you deny that God has *foreordained* whatsoever comes to pass?”—“*L.* If that be true, if God has *foreordained* whatsoever comes to pass, then God *foreordained Adam’s fall*, for that came to pass; and *Episcopacy*, for that came to pass; and a book of *Common Prayer*, for that came to pass; yes, and he has *ordained* Episcopal meeting-houses in presbyterian parishes [parishes], and me to be one of the members, for *all these* came to pass.”

“*I.* We do not say that God is the author of *evil* by our doctrine of predestination, for whatever God has foreordained is *good*.”—“*L.* Then, *Adam’s fall*, *Episcopacy*, and *set forms*, must be good.”

“*I.* I say not so, for *these* are come of the *devil*.”—“*L.* But the devil himself is come to pass. Either he came to pass *of himself* or *of God*. If he came to pass of himself, then God did not foreordain *every* thing that comes to pass. If he came to pass of God, then God did *foreordain* the devil.”

“*I.* Farewell, friend, I see you are absolutely reprobated.”—“*L.* Farewell, friend, I see you are not absolutely elected. But hath God foreordained the *means* of my reprobation, as well as the *end*.”

“*I.* It seems you do not read our Confession of Faith and Catechisms.”—
“*L.* Yes, I have read them, and I find several contradictory things in them, as Grace saving, and Grace not saving, Effectual Calling, and a Calling not Effectual, that ‘no man taketh the honour of the priesthood unto himself, but he that is called of God, as was Aaron;’ and, on the other hand, that in extraordinary

world. In this confession of faith, therefore, the elect, in the Calvinistic sense, can alone have the love of God proclaimed to them; but to those whom it asserts God hath passed by, that is, the reprobate, His wrath only can be denounced. A distinction is made between the redeemed and the unredeemed—between those who are justified, adopted, and sanctified, according to this scheme, and those whom God hath blinded, hardened, and ordained to wrath. In short, the kirk which has adopted this faith “can call on the *elect* to come to God and be saved; she can speak to *them* of his love and mercy; she can describe to them, in the most glowing terms, how much more they are bound to love and obey him, who, out of his mere free grace and love, has chosen them in Christ, in preference to others. But if she speak to the latter, it can only be to remind them of the awful truth, that ‘God, as a righteous judge, doth, for former sins, blind and harden wicked and ungodly men, withholding his grace from them, and exposing them to such objects as their corruption makes occasion of sin.’ She cannot call on them to flee from the fierce wrath of God, because she believes that they are fore-ordained to everlasting death, for the praise of his glorious justice. She cannot proclaim the glad tidings of salvation to all men, because she maintains that none are redeemed and saved but the elect [in her sense] only. In short, agreeably to the plain and unsophisticated meaning of her Confession and Catechisms, the presbyterian church must teach that redemption is *partial, not universal*; that Christ died for the elect, but not for the reprobate; that God has predestinated the former to life, and fore-ordained the latter to death; and this

cases, an extraordinary way of ordination is justifiable, and that a man cannot keep the commandments of God by grace given in this life: That God made man—purposely to damn him, and yet, that man’s chief end is to glorify God and to enjoy him for ever!”

“I. I find that you’re turned blasphemous, and therefore I shall not call nor converse with you again.”—“L. Sir, fare you well, I make no such promises, for I own God’s decree is, that whosoever believeth and worketh righteousness shall be saved. And whosoever doth not believe and obey the gospel shall, except he repent, be damned for ever. ‘When the wicked man turneth away from his wickedness that he hath committed, and *doeth* that which is lawful and right, then, indeed, he shall save his soul alive, Ezek. xviii. 27.’—For God sent not his Son into the world to condemn the world; but that the world *through* him might be saved, John iii. 17.’—‘He gave himself a ransom for ALL, 1 Tim. ii. 6.’—And ‘he is the propitiation for our sins, and not for ours only’—the *elect, a chosen number to the exclusion of the rest*—‘but also for the sins of the *whole world*, 1 John ii. 2.’—I am also resolved, with God’s grace, so to live, as that your assurances will not make me presume, nor your reprobation make me despair. Farewell.”

without any foresight of faith or good works, or perseverance in either of them¹⁷, whereas we are elected and justified in baptism.

But there are few sects that do not retain some truths of revelation; and this Confession steadily maintains the catholic and primitive distinction betwixt the ecclesiastical and the civil powers, and the independency of the church on the state; and the presbyterians are only to be blamed for having abused and misapplied this doctrine in imitation of the pope, to the disturbance of the state and the invasion of the just rights of the sovereign. The faith and worship of the church, as a society founded by Jesus Christ, are to be maintained by patience and suffering; for it has no sword but the spiritual weapons of excommunication, spiritual censures, prayers, and tears. The church is subordinate to the state in all temporal matters, and the state to the church in spiritual affairs; and in this divine harmony and concord the state and the church are united in peace and prosperity. Whenever either party transgress their legitimate bounds, the state by violating the rights of the church, or the church in invading the rights of the prince by disturbing the peace, order, and government of the state, then all the bloodshed and oppression are sure to follow that were exhibited during the supremacy of the presbyterian rule in the reigns of James and Charles. The divine institution of the distinctive powers of the church and state, as maintained in the Westminster Confession, is sound doctrine, and agreeable to the primitive practice; and it is only where the presbyterians and papists have *abused and misapplied it*, that it is to be abhorred and detested by all good christians, as contrary to the gospel, the doctrine, and the practice of the Catholic church, and utterly inconsistent with the civil order and the peace of kingdoms. For the first three hundred years of christianity there was nothing more visible than the distinction betwixt the church and the civil power, between the kingdom of Christ and the empire of Cesar. And this distinction was not invented by priests, but ordained by our Lord, to distinguish the things that belong to the kingdom of God, or the church, from those that pertain to Cesar or the kingdoms of this world. And therefore it would have been rightly taught in this Confession, if the Westminster divines had not confined their definition of the Catholic church exclusively to their own denominations, which of course overturns the truth of their proposition, that "unto the Catholic visible church Christ hath given the ministry, oracles, and

¹⁷ The Doctrinal Differences between the Episcopal and Presbyterian Churches, by Rev. J. B. Pratt, author of the "Old Paths," in *Episc. Mag.* vol. iii. 1835.

ordinances of God," &c.¹ So, again, they faithfully maintain the threefold headship of Christ over his church, and the power of the keys which he committed to those whom they call "the office-bearers of the church;" and their *abuse* of this power by men *not having authority in the Catholic church*, is alone to be objected to². For "He who hath the keys of hell and of death," gave the power of those keys to the princes or apostles of His kingdom, entirely distinct from the temporal sword which he also committed to Cesar; by which the successors of the apostles, to the end of the world, were empowered to admit into his kingdom and to cast out of it, to bind, to loose, to chastise and correct with spiritual censures, to humble, to exalt, to suspend, deprive, degrade, restore, and finally to cut off the incorrigible with the spiritual sword. But the presbyterians, independents, and others who compiled this Confession, and limited the Catholic church to their own sects, on having revolted against Christ's kingdom and set up a republic, had no more right to exercise the keys of that kingdom, which is not of this world, than the Long Parliament had to wield Cesar's carnal weapon; and therefore their acts were not only null and void, but a daring encroachment on the prerogatives of Christ.

A most obnoxious feature in the presbyterian system (although it is now much modified by "the spirit of the age" and their own lukewarmness, yet it is still inherent in it) is the intolerance, bigotry, and the determined and persevering hostility to liberty of conscience, which the leaders constantly shewed. They incessantly opposed their own *tenderness* of conscience to the most indifferent things—the colour of a gown or the shape of a cap. But things which are really in themselves *indifferent*, cease to be so when they are imposed by lawful authority; then they become *obligatory*, and it becomes our duty to obey our lawful governors in church and state, rather than to assume the province of teaching them how to govern us. If they fail in, or overstep their duty, they will have to answer to God at the last day; but their failure or their tyranny will not excuse us in the sight of God for our disobedience. Notwithstanding their own *tenderness* of conscience, and contrary to the golden rule, they forced churchmen to take unlawful and "soul-destroying" oaths, and to change the religion in which they had been baptized and educated, and under which they had lived peaceably, without a moment's time for inquiry or examination, under the pain of severe personal sufferings and the braud of the most infamous appellations. The men

¹ Chapter xxv. sec. 3.

² Chapter xxx. *passim*.

whom they held chiefly in admiration, in their sermons and writings represented *toleration* as the hydra of all schism and heresy, and the flood-gate of iniquity. Toleration was called the Trojan horse whose bowels were full of warlike sectaries, and a "city of refuge in men's consciences for the devil to fly to." It was represented as "the grand design of the devil, his master-piece and chief engine he works by at this time, to uphold his tottering kingdom. It was the most compendious, ready, and sure way to destroy all religion, lay all waste, and bring in all evil. It is the most transcendant, catholic, and fundamental evil for this kingdom, of any that can be imagined. As original sin is the most fundamental sin, having the seed and spawn of all sins in it, so a toleration hath all errors in it, and all evils. It is against the whole stream and current of Scripture, both in the Old and New Testaments; both in matters of faith and manners; both general and particular commands. It overthrows all relations, political, ecclesiastical, and economical. And whereas other evils, whether of judgment or practice, be but against one or two places of Scripture or revelation, this [toleration] is against all;—this is the Abaddon, Apollyon, the destroyer of all religion, the abomination of desolation and astonishment, the liberty of perdition; and therefore the devil follows it day and night; working mightily in many by writing books for it, and other ways: all the devils in hell and their instruments being at work to promote a toleration¹!"

Intolerance and persecution are prominently conspicuous in the Solemn League and Covenant, the precursor of all the civil and religious dissensions of the three kingdoms, which were happy in the enjoyment of peace and prosperity, though, as Izaak Walton says, they were "inwardly sick of being well," till Richlieu and the jesuits introduced this cockatrice egg among the Scottish presbyterians, and they again brought it into England on the points of their spears, as the price of their alliance: "and hither," says Walton, "they came marching with it gloriously upon their pikes and in their hats, with the motto, *for the Crown and Covenant of both kingdoms*;—this I saw, and suffered by it²." We have now seen, as Fuller says, the nursing, the weaning, the young youth of the tall stripling, and the full strength and stature of nonconformity, with its conquest of the hierarchy and its inflexible determination to admit of no toleration to the members of Christ's holy church in any of the three kingdoms. This intolerance, and the

¹ Edwards's *Gangrena*, p. 58.

² Life of Bishop Saunderson.

bloody fruits springing from it, drew forth a "Fair Warning" from archbishop Bramhall, in which he says—"Let all christian magistrates beware how they suffer this cockatrice egg to be hatched in their dominions; much more how they plead for Baal, or Baal-Berith, the Baalims of the Covenant. It were worth the inquiring whether the marks of Antichrist do not agree as eminently to the Assembly-General of Scotland as either to the pope or the Turk; this we see plainly, that they spring out of the *ruins* of the civil magistrate, they sit upon the temple of God, and they advance themselves above those whom holy scripture calleth gods¹," i. e. sovereign princes.

The puritans railed incessantly against their parent popery, but maintained all the popish doctrines which they had been taught by Cumming and Heth, and the jesuits in Elizabeth's time, of dispensing with oaths, doing evil that good might come, and rebelling and fighting for religion. The object which the jesuits proposed when they founded the puritan sect, was to distract and divide the church of England, and bring in popery. They failed in the latter, but in the former they succeeded to admiration. Things, says Edwards, "grew worse and worse, . . . no kind of blasphemy, heresy, disorder, and confusion, but it is found among us, or coming in upon us." We are fallen "from popish innovations, superstitions, and prelatical tyranny, to damnable heresies, horrid blasphemies, libertinism, and fearful anarchy. . . You have cast out the bishops and their officers, and we have many that cast to the ground all ministers in all the reformed churches; you have cast out ceremonies in the sacraments, and we have many who cast out the sacraments of baptism and the Lord's Supper. . . . In the bishops' days we had the fourth commandment taken away, but now we have all the ten commandments at once by the antinomians, yea, all faith, and the gospel denied. . . . What swarms are there of all sorts of illiterate mechanic preachers, yea, of women and boy preachers!—what liberty of preaching, printing of all errors, or for a toleration of all and against the directory, covenant, monthly fast, presbyterial government, and all ordinances of parliament in reference to religion! These sectaries have been growing upon us ever since the first year of our sitting, and have every year increased more and more²."

The presbyterians, the independents, and the erastians in this assembly disagreed among themselves respecting the

- ¹ A Fair Warning to take heed of the Scottish Discipline. Works, p. 514.

² Epistle Dedicatory to Edwards's Gangrena.

divine institution of their respective schemes of government ; but they cordially united for the extirpation of episcopacy. The former attempted to prove that episcopacy was an innovation on the primitive model, and that Christ instituted a parity among the ministers of religion. But they were forced to admit, that parity among ministers had disappeared from the christian church for at least fifteen centuries. Authority to minister the word and sacraments can only be delegated and continued by succession, as in the case of the Jewish church : or by express designation, as in that of St. Paul, who proved his mission to be divine by the performance of miracles. In the presbyterian model succession is out of the question, and they could not plead that the founders of presbytery had any express designation to erect a new churchdom ; at all events they wrought no miracles to prove it. From the time that Timothy and others "ordained elders in every city," presbyters had never exercised the power of ordination, and the bishops from that time had carefully reserved that right to their own order. In whatever way prelacy may be accounted for, the result is the same ; for, from the moment of its establishment in the church, presbyters ceased to exercise the power of ordination, which continued with the bishops alone. But even if the apostles had instituted presbyterian parity, still the bishops, in whatever way they acquired their authority, were the only persons who had the power to perpetuate the christian ministry, and they only had the divine right to minister in holy things, because they alone can shew *succession* ; so that if bishops have not spiritual authority there is not such a thing in the world, and therefore no lawful ministry in the church¹. But the Assembly found a way of escape from this dilemma ; and, in the chapter "concerning the doctrinal part of the ordination of ministers," it is declared that, "*in extraordinary cases, something extraordinary may be done until a settled order may be had, yet keeping as near as may be to the rule ;*" and they add, "*there is at this time, as we humbly conceive, an extraordinary occasion for a way of ordination for the present supply of ministers*"².

¹ Episc. Mag. Sept. 1834, art. Divine Right of Presbytery.

² Sect. 11, 12, p. 587.

CHAPTER XXIII.

CHARLES THE FIRST;

HIS HISTORY, TRIAL, AND MARTYRDOM.

1641-42.—The Long Parliament seize on Hull—and they prepare for and declare war.—The king erects his standard.—Battle of Edgehill.—The king defeats the rebels at Brentford.—1643.—Rebels defeated at Atherstone Moor.—The king's military error.—Persecution of the clergy.—1644.—Parliament at Oxford.—Royalists defeated at Marston Moor.—King defeated at Newberry.—1645.—Treaty at Uxbridge.—King defeated at Naseby.—1646.—Negociations.—The king throws himself into the hands of the Scots.—The Scots retreat.—Scots commissioners preach before the king—their unreasonable demands.—Correspondence betwixt the king and Mr. Henderson—remarks on it.—Henderson's death—bishop Sage's account of it.—Act of Assembly.—1647.—Negociations with the king.—Names and titles of bishops abolished.—Bargain for the king's price concluded.—The king delivered up—the king at Holmby House—seized by Cromwell.—A new treaty.—1648.—Abolition of the festivals.—Cromwell's proceedings.—Pride's purge.—1649.—Natural result of the covenant.—Presbyterian remonstrance.—A new court of justice erected.—The king's conference with Sandersen—his character.—Foot-note, the trial, &c.—interview with his family—his last hours—his murder—his burial—epitaph—his character.

“————— Nothing in his life
Became him, like the leaving it; he died
As one that had been studied in his death,
To throw away the dearest thing he owed,
As 'twere a careless trifle.”—*Macbeth*, Act. i. Scene 4.

1641-42.—THE LONG PARLIAMENT sent down sir John Hotham, one of their own members, to Hull, in the month of March, to hold that town for their interest; and, when the king attempted to enter it, he shut the gates, and turned the king's own cannon against him. The king complained of this act of rebellion; but the parliament justified it, although they afterwards hanged both sir John and his son. After this, disguise was no longer possible; and, therefore, the parliament issued an ordinance, on the 10th of June, 1642, commanding the whole kingdom to bring in their plate and money for the pay and equipment of their army: and then another ordinance was passed for raising troops, which they most hypocritically asserted was “*for the safety of the king's person*,” as well as for the defence of the two houses of parliament. The first overt act and declaration of war

were on the part of the rebel parliament; nevertheless the king did not put himself into a posture of defence till the 25th of August, 1642, when he set up his standard at Nottingham. On the hypocritical pretext of thus providing for the king's safety, he justly remarks, "In vain is my person excepted by a parenthesis of *words*, when so many *hands* are armed against me with *swords*¹." Instead of arming after the parliament had declared war, the king lost precious time by attempting to negotiate with the rebels; but when he saw the uselessness and impolicy of this course, he applied himself to the collection of forces, and by October he had assembled a small army, and was in readiness to meet the rebels, who were advancing under the command of the earl of Essex.

On the 9th of August the king proclaimed the earl of Essex and all his adherents traitors and rebels, and he declared both houses of parliament guilty of high treason. The parliament likewise denounced the king and all his loyal subjects as traitors against the parliament and the kingdom. The king advanced towards London, and encountered Essex at Edgehill, in Warwickshire, on Sunday, the 23d of October, whom he defeated, with the loss on both sides of four thousand men. The king advanced after this victory by way of Oxford to Reading, which was abandoned by the rebels; from Reading he marched to Colnbrook, and, on November 13th, attacked the parliamentarians at Brentford, and drove them before him. The earl of Essex's army, consisting of 24,800 men, were now prepared to dispute with his majesty the possession of the capital; but, as the royal army did not exceed 15,000 men, the king retreated to Oxford. The rebels were greatly alarmed at the king's success, and sent some peers and commoners to Oxford to treat for peace; but which came to nothing. The king agreed to receive their propositions; for, said he, "the highest tide of success set me not above a treaty, nor the lowest below a fight¹."

1643.—The queen procured and sent from abroad some ammunition and cannon, for which the commons impeached her majesty of high treason. In April, Essex besieged and took Reading; but in the north the royal forces were victorious. On the 30th June, the earl of Newcastle defeated Fairfax at Atherstone-moor; and, on July 5th and 13th, he routed sir William Waller at Landsdown and Roundaway-down; when Weymouth, Dorchester, Portland Castle, Exeter, and all the west of England, submitted to the king's authority. Prince

¹ Eikon Basilike, i. 31.

² Ibid. i. 99.

Rupert captured the city of Bristol; and, in an evil hour, the king besieged the city of Gloucester, which so alarmed the rebel government that they despatched the earl of Essex to its relief. It was reduced to the last extremity, but Essex raised the siege, and threw in a seasonable supply of provisions. If, instead of sitting down before Gloucester, the king had advanced rapidly to London, while both the city and the rebel government were in the utmost consternation, he might have changed the whole face of the war, saved all the blood on both sides of the Tweed which followed, and his own head also, and thus have preserved the nation from the guilt of so much innocent blood. The affairs of the parliamentarians were at the lowest ebb; but the time that the king lost in the siege of Gloucester enabled them to rally and to call in their Scottish allies, who made the taking their covenant the price of their assistance; and thus the parliament first plunged the nation into the guilt of a civil war, and next they involved it in the fearful sin of perjury. The parliament affected to consider the clergy as parties in the war; and, in consequence, they seized their real and personal estates, and applied them to the expenses of the war by an ordinance of the 1st April, under the allegation, in the preamble, "that it is most agreeable to *common justice* that the estates of such notorious *delinquents* as have been the causes or instruments of the public calamities . . . should be converted and applied towards the support of the commonwealth;" and Neal admits, that "divers clergymen of considerable learning and *blameless lives, sound protestants, and good preachers*, lost their estates and livelihoods by falling within the compass of this infamous ordinance¹."

1644.—The king summoned a parliament to meet him at Oxford on the 22d of January, which was the only means now left in his power of dissolving the Long Parliament; when forty-nine peers, and a hundred and forty-one of the members of the Long Parliament which had been secluded, obeyed the summons: lord Lyttleton was made chairman of the peers, and Mr. Evers was chosen speaker of the commons. An excise was imposed on several articles imported into the towns in the king's obedience, and considerable sums were voted for the prosecution of the war. They declared the Scots who had invaded England rebels and traitors; and the lords and commons, sitting as a parliament at Westminster, guilty of high treason, for having invited them, and for having counterfeited the great seal.

¹ Neal's History of the Puritans, ii. 197, 198.

The combined covenanting and parliamentary armies defeated prince Rupert at Marston-moor, near York, with the loss of three thousand men, and all his artillery. His majesty in person drove the earl of Essex with his army into the narrow parts of Cornwall, when that general deserted his army, and fled to Plymouth in a boat. His cavalry, driven to desperation, cut their way through the royal army, and escaped; but major-general Skippon, with the whole of the infantry, with their arms, forty pieces of cannon, ammunition, baggage, and carriages, surrendered to his majesty. The prisoners were only disarmed, and sworn not to serve against his majesty till they reached Hampshire; but on their arrival there they were newly armed and clothed, faced about, and sent against the royal army, to prevent the king from marching on London. These, having been reinforced, met and defeated the king at Newberry on the 27th October, when he was obliged to retreat to Oxford, with the loss of several pieces of cannon. "If," says the garter principal king of arms, "we survey the strength and increase of the rebels' armies, and the decay and weakness of his majesty's, and compare their success from the 3d June, 1644, unto the 23d of November following (. . .) we shall not find in any story greater or more miraculous successes than accompanied his majesty's personal undertakings, nor less done at any time by the rebels' armies under Essex and Waller, either in relation to their strength or variety of their attempts¹."

1645.—A treaty of peace was now proposed. Commissioners on both sides were appointed, to meet on the 30th of January at Uxbridge, and to sit twenty days, to treat of religion, the militia, and Ireland. But Love, one of the parliamentary preachers, in a sermon, said, "that there was as great a distance between this treaty and peace as between heaven and hell." And the king said of it, "A grand maxim with them was, always to ask something which, in reason and honour, must be denied, that they might have some colour to refuse all that was in other things granted; setting peace at as high a rate as the worst effects of war; endeavouring first to make me destroy myself by dishonourable concessions, that so they might have the less to do. This was all that that treaty or any other produced; to let the world see how little I would deny, or they grant, in order to the public peace²." It

¹ Historical Discourses upon several occasions, by Sir Edward Walker, Knight, Garter principal King at Arms, and Secretary at War, &c. to King Charles I. and II. 1705, folio.

² Eikon Basilike, i. 98, 99.

was impossible for the commissioners to conclude a peace as the determinations of both the contracting parties were irreconcilable; the one being inflexible in the maintenance of episcopacy, and the other no less resolute to establish presbytery. The rebels were determined likewise to wrest the power of the sword out of the king's hand; to which his commissioners answered, that if that were conceded, "we and our posterity shall for ever part with our peculiar regal power of being able to resist our enemies, or protect our good subjects, and with that undoubted and never-denied right of the crown to make war and peace, or ever more to have jurisdiction over our own navy and fleet at sea¹."

On the 30th May the king captured the town of Leicester; but, on the 14th of June, he was totally routed at Naseby, through the imprudent rashness of prince Rupert, with the loss of five thousand prisoners, all his artillery, baggage, and his cabinet. The king fled into Wales, accompanied by a small party of cavalry, and prince Rupert took shelter in Bristol. The parliament forces recovered all the rest of England, and Bristol capitulated before the enemy had even approached to the walls; for which the king dismissed the prince from his service, and ordered him to quit the kingdom. The king's situation being now desperate, he wandered from place to place with the remnant of troops that still adhered to him, and at last reached Oxford, which, since the commencement of the rebellion, may have been considered his capital.

1646.—He had now no troops, on whom he could depend, but the garrisons of Oxford and Worcester to oppose to the rebels; and therefore, says Walker, "the council could think of no other means but to invite them at London to a treaty; to whom his majesty sent many gracious messages to that purpose, *so fast one in the neck of another*, as if he would not be denied; but could never obtain any other answers but such as gave hopes of better. And at last they having finished their design, which was to keep the king still at Oxford, they concluded they would return him answer to all his propositions in convenient time. *And so this treaty was the last step to our ruin*, which was the more hastened by our untimely desire of peace²." Lord Astley, with the garrison of Worcester and some recruits, made one last effort to join his majesty at Oxford; but he was surprised and beaten by Brereton, one of the parliamentary generals; and thus, says Walker, "we lost

¹ The Works of Charles I., ii. 296.

² Sir E. Walker's Historical Discourses, fol. p. 149.

our last game, which fixed his majesty at Oxford." Being now cut off from all military support, and surrounded by the rebel forces, the king had no alternative but to open a negociation with the Scots army in the north, through the medium of M. Montreville, the French agent, "who promise [him], if he will come unto them, *protection and safety* for himself and followers. His majesty on this resolves, with a party of horse, to make his way to them, they being to meet him at Harborow. Before this could be acted they fled off, and leave his majesty in a worse condition than ever¹."

After having taken Exeter, where he made the princess Henrietta prisoner, sir Thomas Fairfax advanced towards Oxford, with a view of capturing the king also. It was therefore necessary to provide for the king's immediate safety; and he set off precipitately, on the night of the 27th April, disguised as a servant to Dr. Hudson and Mr. Ashburnham, a gentleman of his bedchamber, with his hair cut short in the puritan fashion, and carrying a cloke-bag. After travelling in this state for nine days he at last reached Newark, where, to his surprise, he found himself the earl of Leven's prisoner, though treated with marks of respect. The general immediately communicated the intelligence that his majesty was in his custody to the Long Parliament, and to the Committee of Estates at Edinburgh. Montreville had deceived Charles by stating that the Scottish army had engaged to join with him in opposing the parliament, and securing a solid peace. It is not improbable but that the Scottish general had held out such a promise in order to entrap the king; but when challenged with it by the parliament, he called it "a damnable untruth:" so that, says Neal, "this must be the artifice of Montreville, the French ambassador, who undertook to negotiate between the two parties, and drew the credulous and distressed king *into that snare* out of which he could never escape²." There is no doubt but that Montreville did deceive Charles with assurances of personal safety, and of the French king's interposition for his protection; but Montreville's own words put the fact beyond dispute. In a letter to M. de Brienne, dated January 10th, he says, "Nevertheless the said king [Charles] proposed to me two things; one of which was, that I should make it known that he was quite right in not having established presbytery, and also in not having conformed to what the Scots had desired; the other was, that I should proclaim how that

¹ Walker's Historical Discourses, 153.

² History of the Puritans, ii. 391.

he had gone into the Scottish army under the safeguard of France, and the writing which the king [of France] had given him¹." Under the coercion of his new councillors, the king sent orders to all his garrisons to surrender and disband; which was obeyed by all, not excepting the marquis of Montrose, who retired abroad. "It is observable, that if, from May 1645 unto that time 46, his majesty had been successful in any one of his undertakings, or had done *contrary* to what he did, he had either been master of all, or at least had kept himself afoot a much longer time²."

The Scottish army retreated to Newcastle, and there fixed their head-quarters, and where the king was confined within the limits of the town. The commission of Assembly sent four of their number to argue with the king on the divine right of presbytery and the covenant. One of these ministers preached before the king from 2 Sam. xix. 41-43; and the respectful nature of the sermon may be gathered from the psalm which he gave out to be sung after it, which begins, "Why dost thou, *tyrant*, boast thyself, Thy wicked works to praise?" But his majesty stood up, and called for the fifty-sixth psalm, which begins, "Have mercy, Lord, on me, I pray, for men would me devour." The minister's insult was so gross, that the people waived his psalm, and sung that which was called for by his majesty³.

But the king found that all the concessions were to be on his side alone; the Scots and their allies would not enter upon any business till his majesty had taken the covenant, and consented to the establishment of presbyterian government in both kingdoms. The king rejected this, and pleaded his conscience and his honour, because he was bound by his coronation oath, as well as his own convictions, to maintain that episcopacy in England which had been established for so many centuries. These men, whose tenderness of conscience descended even to the shape and colour of their dress, could not admit the king's more exalted scruple of conscience on a point of divine institution of which he was convinced, and of the guilt of perjury in which they wished to involve him. He professed his willingness to confer with any person whom they should appoint, to satisfy his conscience on the divine institution of episcopacy, and the obligations of his coronation oath to support and defend the church of England. Mr.

¹ Cited by Guthrie, in *General History*, ix. 423, note.

² Walker's *Historical Discourses*, 153.

³ Whitelocke's *Memorials*, cited by Neal, ii. 399.

Henderson was, therefore, recalled from the Assembly at Westminster, and appointed to debate these two points with his majesty; and they agreed to conduct their controversy in writing. The king drew up his own papers, and they were transcribed by sir Robert Murray, who also copied Mr. Henderson's letters, as his hand-writing was not so legible.

The king opened the correspondence by a letter, dated the 29th of May; in which, after paying some compliments to his adversary, he says—"No one thing made me reverence the reformation of my mother, the church of England, more than that it was done 'neither with multitude nor with tumult,' but loyally and orderly, and by those whom I conceive to have the reforming power; which, with many other inducements, made me always confident that the work was very perfect as to essentials; of which number, church government being an undoubted one, I put no question, but that would have been likewise altered if there had been cause. Which opinion of mine was soon turned into more than a confidence, when I perceived that in this particular (. . . .) we retained nothing, but according as it was deduced from the apostles, to be the constant universal custom of the primitive church; and that it was of such consequence, as by the alteration of it we should deprive ourselves of a lawful priesthood; and then how the sacraments can be duly administered, is easy to judge. These are the principal reasons which make me believe that bishops are necessary for a church, and I think sufficient for me (if I had no more) not to give my consent for their expulsion out of England. But I have another obligation, that to my particular is a no less tie of conscience, which is, my coronation oath. Now, if "he that doubteth is damned if he eat," what can I expect, if I should not only give way knowingly to my people's sinning, but likewise be *perjured* myself?

Now, consider, ought I not to keep myself from presumptuous sins? and you know who says, What doth it profit a man, though he should gain the whole world, and lose his own soul? Wherefore my constant maintenance of episcopacy in England (where there was never any other government, since christianity was in this kingdom), methinks, should be rather commended than wondered at; my conscience directing me to maintain the laws of the land; which being only my endeavours at this time, I desire to know of you what warrant there is in the word of God for subjects to endeavour to force their king's conscience, or to make him alter laws against his will. If this be not my present case, I shall be glad to be mistaken; or if my judgment in religion hath been misled all

this time, I shall be willing to be better directed: till when you must excuse me, to be constant to the grounds which the king my father taught me.—C. R.”

Henderson's answer is dated the 3d of June, in which, after a respectful introduction, he avouches his opinion that the civil magistrate should always reform religion, “and that it were not committed to the prelates, who have greatest need to be reformed themselves, nor left to the multitude, whom God stirreth up when princes are negligent. It is too well known that the reformation of Henry VIII. was most imperfect in the essentials of doctrine, worship, and government; and although it proceeded some degrees afterwards, yet the government was never reformed.” He then proceeds to argue from the community of names in Scripture that there could not be any inequality among ministers; “there was no such hierarchy, no such difference betwixt a bishop and a presbyter, in the times of the apostles, and therefore it cannot be deduced, that there is any difference betwixt a bishop and a presbyter¹. I will never think that your majesty will deny the lawfulness of a ministry and the due administration of the sacraments in the reformed churches which have no diocesan bishops, since it is not only manifest by Scripture, but a great many of the strongest champions for episcopacy do confess, that presbyters may ordain other presbyters; and that baptism administered by a private person, wanting a public calling, or by a midwife, and by a presbyter, although not ordained by a bishop, are not one and the same thing.” Upon the subject of the coronation oath, he says, its obligation ceaseth when “the formal cause of the oath is taken away,” which he conceived was then the case, because the government of bishops had been abolished in Scotland, and their estate removed from parliament in England.

The king replied on the 6th of June, and observed that Henderson had not given any answer to the question of his coronation oath; and tells him, that “a new mood and figure must be found out to form a syllogism whereby to prove” that, “because Henry VIII.'s reformation was not perfect, that of king Edward and queen Elizabeth must be imperfect. . . . But, however, you are mistaken; for no man who truly understands the English reformation will derive it from Henry VIII., for he only gave the occasion; it was his son who began, and queen Elizabeth that perfected it.” Mr. Henderson's reply was dated the 17th of June. The king's next letter was dated

¹ Vide ante, vol. i. chap. v. pp. 143—148.

the 22d; and Mr. Henderson's answer was not till the 2d of July. The king's fourth paper was dated the 3d of July; and he addressed his final letter on the 16th of the same; and in the concluding paragraph he says—"My conclusion is, that albeit I never esteemed any authority equal to the Scriptures, yet I do think the unanimous consent of the fathers, and the universal practice of the primitive church, to be the best and most authentical interpreter of God's word, and consequently the fittest judges between me and you, when we differ, until you shall find me better. For example, I think you, for the present, the best preacher in Newcastle; yet I believe you may err, and possibly a better preacher may come; but till then I must retain my opinion¹."

This correspondence shews the good catholic sentiments of this unfortunate monarch, and proves the truth of king James's remark to Buckingham, that "he durst venture his son Charles with all the jesuits in the world, he knew him to be so well grounded in the protestant religion." And Mr. Skinner has made the following judicious remarks on this correspondence:—"By the king's manner of writing, one would think he had been in one of his royal palaces among his books, and in the midst of his chaplains, disputing at his ease, with all the weight of personal character in his favour. But when we remember what a melancholy situation he was in, little better than a prisoner among people whom he could not trust, distressed in his mind about the perplexities of state, and harassed in his conscience about what he thought important points of religion, without books and divines to direct and assist him; and when we observe, too, from the several dates, how much readier he is in his defences, than Henderson in his attacks, we cannot but admire the temper and penetration of the arguer, whatever force we may allow to the argument²."

It is due to the memory of this "seditious presbyter" to state, that he died repentant for the calamities which he was a principal agent in bringing upon the church and state; and we may in charity hope that his repentance, though late, was effectual, and not fit to be repented of. Mr. Henderson died within six weeks after this correspondence with the king was closed; and bishop Sage, the author of the Cyprianic Age, had the following narrative from a clergyman, one of the parties who visited Henderson on his death-bed, and who *heard the words*

¹ "The Works of that Great Monarch and Glorious Martyr, King Charles I." vol. i. 156—192.

² Skinner's Ecclesiastical History, ii. 391.

uttered,—“Mr. Robert Freebairn, archdeacon of Dunblane and minister of Gask, in Strathearn, a person of great worth and integrity, gave me the following account:—That while Mr. Henderson was in his decay, of which he died, Mr. John Freebairn, father of this Mr. Robert, and one Mr. Rue, and another minister, whose name I have forgot, went together to visit him. The said Mr. Robert (who was then a preacher) went along with them. After some other things had passed in their discourse, one of the ministers addressed himself to Mr. Henderson to this purpose:—“that now, in all likelihood, he was dying; that he had been very much concerned in the public commotions which for some years before had happened in Scotland; that his testimony after his death would be of great weight with all those who were zealous of *the Cause*, &c.; that therefore it was very proper he should lay himself open to those who were then present, that they might be in a condition to encourage their brethren, &c.’ To which Mr. Henderson composedly and deliberately replied to this purpose:—‘That he had indeed been very active in overturning episcopacy, and in encouraging the rebellion; but he took God to witness that he proposed nothing to himself when he began, but the security of religion and the kirk in opposition to popery, which he was *made to believe* was at the bottom of the king’s designs: but now he was sensible that his fears were groundless,—he had had an opportunity of conversing frequently with the king, and he was fully satisfied that he was as sincere a protestant as was within his dominions. For which reason he gave them his advice, as from a dying man, that they should break off in time, for they had all gone too far already; and nothing now was so proper as for them to retreat and return to their duty to his majesty, who was the most learned, the most candid and conscientious, the most religious, and every way the best king that ever did sit upon a throne in Britain.’ This his discourse so surprised them, that for some time they sat silent. At length, one of them (Mr. Rue) bespoke the rest of them, after this manner—‘Brethren, this our brother is in a high fever, and is raving; you ought not, therefore, to heed what he says.’ ‘No,’ said Mr. Henderson, ‘I am very weak, indeed, but I am not raving, blessed be God, who of his infinite mercy allows me the use of my reason in this lower state, and which I have as much as ever; I hope I have spoke no incoherences, and what I have said I will say over again.’ Then he resumed what he had said, and enlarged upon it, and desired them, in the name of God, to believe that what he spoke was from his heart, and with the sincerity and seriousness which became a dying

person. After they had taken leave of him, the three ministers enjoined Mr. Robert Freebairn a profound silence of what he had heard, discharging him to communicate it to any person whatsoever ; and they added *threatenings* also to their prohibition. But he (as he told me himself) boldly told them, that he 'thought himself bound in conscience to declare what he had heard as he had occasion ; God's glory required it ; and it was Mr. Henderson's purpose that it should be propaled and propagated.' This account I had oftener than once from Mr. Freebairn's own mouth : he died about twenty-one or twenty-two years ago.

“(Signed) JOHN SAGE¹.”

Presbyterian writers, and the General Assembly before them, have expended a vast deal of unnecessary indignation on this fact, which is so creditable to Mr. Henderson's memory. Mr. Aiton, his modern biographer, denies its veracity, and the Assembly of 1648 thought it necessary to draw up a special act on the 7th of August, session 31, wherein it is declared—“upon consideration of all which, this Assembly doth condemn the said pamphlet as forged, scandalous, and false, and further declare the author and contriver of the same void of charity and a good conscience, and a gross liar and calumniator, led by the spirit of the accuser of the brethren².” Nevertheless, there is not the least doubt of the truth of the story, for it is maintained by Heylin as being current in his time, and he died within fifteen years afterwards, and the pamphlet was published within a year after Henderson's death, in a “printed paper, entitled the Declaration, &c.,” and which the Assembly found it necessary so emphatically to contradict and condemn.

Baillie speaks of him as “that precious servant of Christ—that glorious soul of blessed memory, who is now crowned with the reward of all his labours for God and for us ; I wish his remembrance may be fragrant among us, so long as free and pure assemblies remain in this land, which we hope shall be to the coming of our Lord. You know he spent his strength and wore out his days ; he breathed out his life in the service of God and of this church : this binds it on our back, as we would not prove ingrate, to pay him his due. If the thoughts of others be conform to my inmost sense, in duty and reason he ought to be accounted by us, and [by] the posterity, the fairest ornament, after John Knox, of incomparable memory, that

¹ Postscript to Bishop Gillan's *Life of Bishop Sage*.

² Johnston's *Collections*, 420-422.

ever the church of Scotland did enjoy.”—“A truly heroic divine for piety, learning, wisdom, eloquence, humanity, single life, and every good part; for some years the most-eyed man of the three kingdoms¹.”

1647.—The parliament sent the earl of Pembroke, and some others, with their propositions for peace; but which did not come up to the standard of the Scots commissioners, although they were outrageously extravagant, and, in fact, were calculated to put the entire sovereignty into the hands of the parliament, and to reduce the king to a mere cypher. They told him they had no power to treat; but that they were desired to receive his final answer; to which the king said, that “saving the honour of the business, a trumpeter might have done as well:” he was then informed that they must receive his peremptory answer within ten days, or return without it. The Scots commissioners bullied the king, and insolently informed him that if he did not settle amicably with the Long Parliament, “he would not be admitted to come and reign in Scotland.” There was an evident collusion betwixt the Scots and the English commissioners, and, to keep up appearances, the former went to London under pretence of mediating with the parliament for easier terms for the king; but in reality to conclude a bargain for delivering him up. In the meantime the parliament completed the destruction of the church of England, as an establishment, by abolishing the names and titles of archbishops and bishops, and they confiscated the church property for payment of the debts which they had contracted by their rebellion. The sale of the king’s person having been transacted betwixt the Scots commissioners and the Long Parliament, the latter agreed to pay the former £400,000, the one half to be paid on delivery of the king’s person, and the remainder at a subsequent period. On the 3d of February, the earl of Pembroke received the king from his Scottish jailors, and conveyed him to Holmby House. This transaction reflects indelible infamy on the parties concerned in it; and it shews the antichristian

¹ Baillie’s Letters, iii. 12, 83, 93. His humility consisted in humbling his superiors and in exalting himself. Baillie has a remarkable passage in his speech respecting his own labours in London, which, whether it point backwards or forwards, to individuals or to factions, may be here inserted as a warning against dividing the seamless coat of Christ.—“It ought to be all our prayers that long it may so continue, for the old serpent is lying at all our doors; but the man with whom he shall first prevail to make himself a *ringleader*, upon whatsoever cause, to divide and trouble the kirk of Scotland, let me speak prophecy unto him: Were he this day of never so high a price and great fragraney among us, yet he shall become a cursed soul, and his memory shall stink to all generations.”—Vol. iii. p. 13.

principles of that religion which could prompt men to act in such a treacherous and unjustifiable manner, and that could coolly justify and approve of such infamy, which the commission of the kirk did in their "Solemn Warning to all Estates and Degrees," dated December 17, 1646. It were as easy to wash the Ethiopian's skin white, as to remove the sin and guilt of this deed, and of all the bloodshed of that rebellion, from the principles of presbyterianism, independency, and the obligations of the covenant.

At Holmby house the king was denied the assistance of his own chaplains, and Marshall and Carlyle were intruded upon him; but he spent his Sundays in private, and would never allow them even to say grace at his meals, although they presented themselves for that purpose. This disgraceful tyranny drew from the king the observation—"The truth is, I never needed or desired more the service and assistance of men judiciously pious and soberly devout. The solitude they have confined me unto adds the wilderness to my temptations; *for the company they obtrude upon me is more sad than any solitude can be!*" Some jealousy arising betwixt Cromwell and the Long Parliament, he determined to possess himself of the king's person; and on the 4th of June, he sent a cornet Joyce, with a party of horse, to Holmby, who entered the king's chamber at a late hour, and bluntly informed his majesty of his intention to conduct him to the army. The king, surprised, asked for his commission, when Joyce presented his pistol, and his majesty dryly remarked it was very legible. Next morning the king was removed to Newmarket, where the army lay; and Cromwell remarked, that "now he had got the king into his hands, he had the parliament in his pocket." The parliament seemed to have been of that opinion also; for when the army approached the capital, lord Manchester, speaker of the lords, and Lenthall, the speaker of the commons, with several members of both houses, ran off to it, and carried their maces with them. The king was sent to Hampton Court, whence his escape to the Isle of Wight was connived at, where he was seized by colonel Hammond, and committed close prisoner to Carrisbrook Castle.

It has been supposed that Mr. Ashburnham, of the bed-chamber, had been corrupted by Cromwell to betray the king to Hammond; and that he had also placed two individuals about the king's person for the purpose of assassinating him, but who were gained by his goodness. A treaty was again

enemy, shall be put to death by the severing his head from his body." This sentence was carried into effect on the 30th of January, when this execrable murder was deliberately committed in front of the banqueting-house at Whitehall.

Whilst in the Isle of Wight, bishop Sanderson was permitted to wait on the king, and who preached before him, and had several private conferences with him, to his majesty's great satisfaction; and, says his biographer, "let me here take occasion to tell the reader this truth, not commonly known, that in one of these conferences this conscientious king told Dr. Sanderson, that the remembrance of two errors did much afflict him, which were, his assent to the earl of Strafford's death, and the abolishing episcopacy in Scotland; and that if God ever restored him to be in a peaceable possession of his crown, he would demonstrate his repentance by a public confession, and a voluntary penance (I think barefoot) from the Tower of London, or Whitehall, to St. Paul's church, and desire the people to intercede with God for his pardon¹."

Charles "was a prince of great abilities, equal and dispassionate in his temper, and remarkably regular in his private life. He never entered on his diversions abroad, till he had first paid his duty to God at the public prayers. He was likewise very strict in observing the hours for his cabinet devotion. He would not endure any licentious jests, any rallying of religion, though never so much recommended by pleasantry and wit. He was well furnished with capacity and resolution to advise at the council-board, and to execute in the field. One of his greatest misfortunes seems to have been an *excess* of clemency; of this the pacification at Berwick was a fatal instance. He had likewise too modest a sense of his own judgment and sufficiency; this diffidence made him sometimes overruled by other men's opinions, worse grounded than his own. The extent of his knowledge, the force of his reasoning, and the nobleness of his manner, are sufficiently discovered in his printed works. The beautiful turn and lustre of his compositions are seldom met with in English authors of that age²." Lord Clarendon has admirably condensed his character in one brief sentence,—“He was the worthiest gentleman, the best master, the best friend, the best husband, the best father, and the best christian, that the age in which he lived produced³.”

¹ Life of Dr. Sanderson, late bishop of Lincoln, written by Isaac Walton, 1678.

² Collier's Eccles. History, viii. 360-61.

³ On the 20th of January, serjeant John Bradshaw, with about fifty-seven of his fellow commissioners, came into Westminster Hall, with sword and mace, and took their seats at the west end of the hall on the bench. Colonel Tomlinson

Hume says, "This prince was of a comely presence,—of a sweet but melancholy aspect. His face was regular, handsome,

brought in the king to the bar, who, with an unconcerned look, with his hat on, sat down, and without taking any notice of the Court. The ordinance of the Commons for his trial was then read, next the 'charge of the Commons of England against Charles Stuart, king of England, of high treason and other crimes;' which narrated all the principal events of his reign, with the names and dates of all the battles which had been fought during their rebellion. His majesty heard all the slanders contained in the charge with his usual patience, and with an unperturbed countenance; but smiling contemptuously at the words tyrant, traitor, and such like, as they occurred in the narration. An ominous circumstance occurred during the reading of these documents; the silver head of his walking-stick fell off, and as none had the civility to take it up, he stooped and picked it up for himself. The king was entirely left to his own courage and resources, without advice or any legal counsel.

Bradshaw then said:—

"Sir,—You have now heard your charge read, containing such matters as appear in it: you find that in the close of it, it is prayed to the court, in the behalf of the Commons of England, that you answer to your charge: the Court expects your answer.

"*King*.—I would know by what power I am called hither. I was not long ago in the Isle of Wight; how I came there is a longer story than I think is fit at this time for me to speak of; but there I entered into a treaty with both houses of parliament, with as much public faith as it is possible to be had of any people in the world. I treated there with a number of honourable lords and gentlemen, and treated honestly and uprightly: I cannot say but they did very nobly with me: we were upon a conclusion of the treaty. Now I would know by what authority (I mean *lawful*; there are many *unlawful* authorities in the world, thieves and robbers by the highways; but I would know by what authority) I was brought from thence, and carried from place to place, and I know not what. And when I know by what lawful authority, I shall answer.

"Remember, I am your *king*, your *lawful king*, and what sins you bring upon your heads, and the judgment of God upon this land: think well upon it, I say think well upon it, before you go further from one sin to a greater. Therefore let me know by what lawful authority I am seated here, and I shall not be unwilling to answer. In the meantime, I shall not betray my trust: I have a trust committed to me by God, by old and lawful descent; I will not betray it, to answer to a new unlawful authority. Therefore resolve me that, and you shall hear more of me.

"*Bradshaw*.—If you had been pleased to have observed what was hinted to you by the Court at your first coming hither, you would have known by what authority; which authority requires you, in the name of the people of England, of which you are elected king, to answer.

"*King*.—No, sir: I deny that.

"*Bradshaw*.—If you acknowledge not the authority of the Court, they must proceed.

"*King*.—I do tell them so; England was *never* an *elective* kingdom, but an *hereditary* kingdom for near these thousand years: therefore let me know by what authority I am called hither. I do stand more for the liberty of my people than any here that come to be my pretended judges: and therefore let me know by what lawful authority I am seated here, and I will answer it; otherwise I will not answer it.

"*Bradshaw*.—Sir, how really you have managed your trust is known: your way of answer is to interrogate the Court, which becometh not you in this condition. You have been told of it twice or thrice.

"*King*.—Here is a gentleman, lieutenant-colonel Cobbett; ask him if he did

and well-complexioned; his body strong, healthy, and justly proportioned; and, being of a middle stature, he was capable

not bring me from the Isle of Wight by force. I do not come here as submitting to the Court. I will stand as much for the privilege of the house of Commons, rightly understood, as any man here whatsoever: I see no house of Lords here, that may constitute a parliament; and the king, too, should have been. Is this the bringing of the king to his parliament? Is this the bringing an end to the treaty in the public faith of the world? Let me see a legal authority, warranted by the word of God, the Scriptures, or warranted by the constitutions of the kingdom, and I will answer.

"*Bradshaw*.—Sir, you have propounded a question, and have been answered. Seeing you will not answer, the Court will consider how to proceed. In the meantime, those that brought you hither are to take the charge of you back again. The Court desires to know whether this be all the answer you will give or no.

"*King*.—Sir, I desire that you would give me and all the world satisfaction in this. Let me tell you, it is not a slight thing you are about. I am sworn to keep the peace, by that duty I owe to God and my country; and I will do it to the last breath of my body. And, therefore, you shall do well to satisfy, first God, and then the country, by what authority you do it. If you do it by an usurped authority, you cannot answer it: there is a God in heaven that will call you, and all that give you power, to account. Satisfy me in that, and I will answer; otherwise I betray my trust, and the liberties of the people: and therefore think of that, and then I shall be willing. For I do avow that it is as great a sin to withstand lawful authority, as it is to submit to a tyrannical, or any otherwise unlawful authority. And therefore satisfy God and me, and all the world in that, and you shall receive my answer. I am not afraid of the bill.

"*Bradshaw*.—The Court expects you should give them a final answer. Their purpose is to adjourn till Monday next: if you do not satisfy yourself, though we do tell you our authority, we are satisfied with our authority, and it is upon God's authority and the kingdom's; and that peace you speak of will be kept in the doing of justice, and that's our present work.

"*King*.—For answer let me tell you, you have shewn no lawful authority to satisfy any reasonable man.

"*Bradshaw*.—That's in your apprehension; we are satisfied that are your judges.

"*King*.—It is not my apprehension, nor yours neither, that ought to decide it.

"*Bradshaw*.—The Court hath heard you, and you are to be disposed of as they have commanded.

"So commanding the guard to take him away, his majesty only replied, Well, sir. And at his going down, pointing with his staff toward the axe, he said, 'I do not fear that.' As he went down the stairs, the people in the hall cried out, 'God save the king!' notwithstanding some were there set by the faction to lead the clamour for justice.

"O yes, being called, they adjourn."

Second Day.—Monday, 22d January.

"*Cooke*.—My lord, my humble motion to this high Court is, that the prisoner may be directed to make a positive answer, either by way of confession or negation: which if he shall refuse to do, that the matter of charge may be taken *pro confesso*, and the Court may proceed according to justice."

"*Bradshaw*.—Sir . . . you heard a charge read against you, containing a charge of high treason and other high crimes against this realm of England: . . . you were then pleased to make some scruples concerning the authority of this Court . . . [you were] answered that it was by authority of the Commons of England . . . they are fully satisfied with their own authority, and they hold it fit you should stand satisfied with it too; and they do require it, that you do give a positive and particular answer to this charge that is exhibited against you.

of enduring the greatest fatigue. He excelled in horsemanship and other exercises; and he possessed all the exterior,

They do expect you should either confess, or deny it: if you deny, it is offered, in the behalf of the kingdom, to be made good against you. Their authority they do avow to the whole world, that the whole kingdom are to rest satisfied in, and you are to rest satisfied with it; and therefore you are to lose no more time, but to give a positive answer thereunto."

"*King*.—When I was here last, it is very true, I made that question, and if it were only my own particular case, I would have satisfied myself with the protestation I made the last time I was here, against the legality of this Court, and that a king cannot be tried by any superior jurisdiction on earth. But it is not my case alone, it is the freedom and the liberty of the people of England; and do you pretend what you will, I stand more for their liberties. For if power without law may make laws, may alter the fundamental laws of the kingdom, I do not know what subject he is in England that can be sure of his life, or any thing that he calls his own. Therefore, when that I came here, I did expect particular reasons, to know by what law, what authority, you did proceed against me here: and therefore I am a little to seek what to say to you in this particular, because the affirmative is to be proved, the negative often is very hard to do. But since I cannot persuade you to do it, I shall tell you my reasons as short as I can.

"My reasons why in conscience, and the duty I owe to God first, and my people next, for the preservation of their lives, liberties, and estates, I conceive I cannot answer this till I be satisfied of the legality of it.

"All proceedings against any man whatsoever —"

"*Bradshaw*.—Sir, I must interrupt you . . . you are to submit unto it [the Court]; you are to give a punctual and direct answer, whether you will answer your charge or no, and what your answer is."

"*King*.—Sir, by your favour, I do not know the forms of law: I do know law and reason, though I am no lawyer professed, but I know as much law as any gentleman in England; and therefore, under favour, I do plead for the liberties of the people of England more than you do: and therefore if I should impose a belief upon any man without reasons given for it, it were unreasonable: but I must tell you, that that reason that I have as thus informed, I cannot yield unto it.

"*Bradshaw*.—Sir, I must interrupt you; you may not be permitted. You speak of law and reason; it is fit there should be law and reason, and there are both against you. Sir, the vote of the Commons of England assembled in parliament, it is the *reason* of the kingdom; and they are these, too, that have given that law according to which you should have ruled and reigned. Sir, you are not to dispute our authority; you are told it again by the Court. Sir, it will be taken notice of, that you stand in contempt of the Court, and your contempt will be recorded accordingly.

"*King*.—I do not know how a king can be a delinquent: but by any law that ever I heard of, all men (delinquents, or what you will) let me tell you, they may put in demurrers against any proceeding as legal; and I do demand that, and demand to be heard with my reasons: if you deny that, you deny reason.

"*Bradshaw*.—Sir, you have offered something to the Court; I shall speak something unto you, the sense of the Court. Sir, neither you nor any man are permitted to dispute that point: you are concluded, you may not demur to the jurisdiction of the Court; if you do, I must let you know that they over-rule your demurrer: they sit here by the authority of the Commons of England, and all your predecessors and you are responsible to them.

"*King*.—I deny that; shew me one precedent.

"*Bradshaw*.—Sir, you ought not to interrupt while the Court is speaking to you. This point is not to be debated by you, neither will the Court permit you to do it. If you offer it by way of demurrer to the jurisdiction of the Court, they have considered of their jurisdiction, they do affirm their own jurisdiction.

as well as many of the essential qualities, which form an accomplished prince." Charles's infirmities and imperfections

"*King*.—I say, sir, by your favour, that the Commons of England was never a court of judicature; I would know how they came to be so.

"*Bradshaw*.—Sir, you are not to be permitted to go on in that speech and these discourses.

"Then the clerk of the Court read,—'Charles Stuart, king of England, you have been accused on the behalf of the people of England of high treason, and other crimes: the Court have determined that you ought to answer the same.

"*King*.—I will answer the same, so soon as I know by what authority you do this.

"*Bradshaw*.—If this be all that you will say, then, gentlemen, you that brought the prisoner hither, take charge of him back again.

"*King*.—I do require that I may give in my reasons why I do not answer, and give me time for that.

"*Bradshaw*.—Sir, 'tis not for prisoners to require.

"*King*.—Prisoners! Sir, I am not an ordinary prisoner.

"*Bradshaw*.—The Court have considered of their jurisdiction, and they have already affirmed their jurisdiction; if you will not answer, we will give order to record your default.

"*King*.—You never heard my reasons yet.

"*Bradshaw*.—Sir, your reasons are not to be heard against the highest jurisdiction.

"*King*.—Shew me that jurisdiction where reason is not to be heard.

"*Bradshaw*.—Sir, we show it you here, the Commons of England; and the next time you are brought, you will know more of the pleasure of the Court; and, it may be, their final determination.

"*King*.—Shew me where ever the house of Commons was a judicature of that kind.

"*Bradshaw*.—Serjeant, take away the prisoner.

"*King*.—Well, sir, remember that the king is not suffered to give in his reasons for the liberty and freedom of all his subjects.

"*Bradshaw*.—Sir, you are not to have liberty to use this language. How great a friend you have been to the laws and liberties of the people, let all England and the world judge.

"*King*.—Sir, under favour, it was the liberty, freedom, and laws of the subjects, that ever I took — defended myself with arms. I never took up arms against the people, but for the laws.

"*Bradshaw*.—The command of the Court must be obeyed. No answer will be given to the charge.

"*King*.—Well, sir.

"Then Bradshaw ordered the default to be recorded, and the contempt of the Court, and that no answer would be given to the charge. The king was guarded forth to sir Robert Cotton's house.

His majesty not being suffered to deliver his reasons against the jurisdiction of this most unconstitutional Court, committed them to writing during the adjournment of the Court, which he considered a duty that he "owed to God, in the preservation of the true liberty of my people. . . . I am no less confident that no learned lawyer will affirm that an impeachment can lie against the king, they all going in his name, and one of their maxims is, '*that the king can do no wrong*.' . . . I see nothing you can shew for that [the people of England's commission]; for certainly you never asked the question of the tenth man in the kingdom: . . . nor can you pretend any colour for this your pretended commission, without the consent at least of the major part of every man in England. . . . Thus you see that I speak not for my own right alone, as I am your king, but also for the true liberty of all my subjects. . . . Nor in this must or do I forget the privileges of both houses of parliament, which this day's proceedings

did not amount to vices : but he placed too great dependence on the judgment of others, and showed too great facility

do not only violate, but likewise occasion the greatest breach of their public faith that (I believe) ever was heard of. . . . I was suddenly surprised and hurried from thence as a prisoner, upon which account I am, against my will, brought hither; where, since I am come, I cannot but to my power *defend* the ancient laws and liberties of this kingdom, together with my own just right. Then, for any thing I can see, the higher house is totally excluded. And for the House of Commons, it is too well known that the major part of them are detained or deterred from sitting; so as, if I had no other, this were sufficient for me to protest against the lawfulness of your pretended Court. Besides all this, the peace of the kingdom is not the least in my thoughts: and what hope of settlement is there, so long as the power reigns without rule or law, changing the whole frame of that government under which the kingdom hath flourished for many hundred years? . . . This I intended to speak in Westminster Hall, on Monday 22d of January, but against reason was hindered to shew my reasons."

On Tuesday, 23d January, his majesty was brought into the Hall, and took his seat at the bar, with his hat on. Cook then read an invective against the king, and prayed, that as he had not acknowledged the legality of the Court, nor admitted the charges, that he be held as confessed, and judgment be pronounced against him accordingly. Bradshaw proceeded in the same strain, and concluded with, "Sir, in plain terms (for justice knows no respect of persons), you are to give your positive and final answer, in plain English, whether you be guilty or not guilty of these treasons laid to your charge."

The king (after a little pause) said, "When I was here yesterday, I did desire to speak for the liberties of the people of England: I was interrupted: I desire to know yet whether I may speak freely or not."

"Bradshaw.—When you have once answered, you shall be heard at large; make the best defence you can. But, sir, I must let you know from the Court, as their commands, that you are not to be permitted to issue out into any other discourses, till such time as you have given a positive answer concerning the matter that is charged upon you."

"King.—For the charge, I value it not a rush. It is the liberty of the people of England that I stand for. For me to acknowledge a new court that I never heard of before, I that am your king, that should be an example to all the people of England for to uphold justice, to maintain the old laws; indeed I do not know how to do it. You spoke very well the first day that I came here, on Saturday, of the obligations that I had laid upon me by God to the maintenance of the liberties of my people: the same obligation you spake of I do acknowledge to God, that I owe to him and to my people to defend, as much as in me lies, the ancient laws of the kingdom: therefore, until that I may know that this is not against the fundamental laws of the kingdom, by your favour, I can put in no particular answer. If you will give me time, I will shew you my reasons why I cannot do it, and this —"

Here being interrupted, he said,

"By your favour, you ought not to interrupt me."

"How I came here, I know not; there's no law for it, to make your king your prisoner. I was in a treaty upon the public faith of the kingdom, that was the known—two houses of parliament, that was the representative of the kingdom; and when that I had almost made an end of the treaty, then I was hurried away and brought hither: and therefore —"

"Bradshaw.—Sir, you must know the pleasure of the Court."

"King.—By your favour, sir."

"Bradshaw.—Nay, sir, by your favour, you may not be permitted to fall into these discourses; you appear as a delinquent; you have not acknowledged the

in adopting the opinions or the advice of men inferior to himself in judgment, and more particularly in honesty of pur-

authority of the Court. The Court craves it not of you; but once more they command you to give your positive answer. Clerk, do your duty.

"*King.*—Duty, sir!"

The clerk reads:—"Charles Stuart, king of England, you are accused, in the behalf of the Commons of England, of divers high crimes and treasons, which charge hath been read unto you: the Court now requires you to give your positive and final answer by way of confession or denial of the charge.

"*King.*—Sir, I say again to you, so that I might give satisfaction to the people of England of the clearness of my proceeding, not by way of answer, not in this way, but to satisfy them that I have done nothing against that trust that hath been committed to me, I would do it; but to acknowledge a new court against their privileges, to alter the fundamental laws of the kingdom, sir, you must excuse me.

"*Bradshaw.*—Sir, this is the third time that you have publicly disowned this Court, and put an affront upon it. How far you have preserved the privileges of the people, your actions have spoke it; but truly, sir, men's intentions ought to be known by their actions: you have written your meaning in bloody characters throughout the whole kingdom. But, sir, you understand the pleasure of the Court. Clerk, record the default. And, gentlemen, you that took charge of the prisoner, take him back again.

"*King.*—I will only say this one word more to you; if it were only my own particular, I would not say any more, nor interrupt you.

"*Bradshaw.*—Sir, you have heard the pleasure of the Court, and you are (notwithstanding you will not understand it) to find that you are before a court of justice.

"Then the king went forth with the guard."

Saturday, January 27.

Some days were spent in the formality of examining witnesses; and when the king was brought in, he repeatedly requested leave to speak, but was sternly refused. Bradshaw said the Court had considered the charge and the king's contumacy; "and upon the whole matter, they are resolved and are agreed upon a sentence to be pronounced against this prisoner." And "the Court hath resolved that they will hear him before the sentence be read and pronounced." . . . "Yet, sir, . . . if that which you have to say be to offer any debate concerning the jurisdiction, you are not to be heard in it."

"*King.*—Since I see that you will not hear any thing of debate concerning that which I confess I thought most material for the peace of the kingdom and for the liberty of the subject, I shall waive it. I shall speak nothing to it. But only I must tell you, that this many a day all things have been taken away from me, but that I call dearer to me than my life, which is, my conscience and my honour: and if I had a respect to my life more than the peace of the kingdom and the liberty of the subject, certainly I should have made a particular defence for myself: for by that at leastwise I might have delayed an ugly sentence, which I believe will pass upon me. Therefore certainly, sir, as a man that hath some understanding, some knowledge of the world, if that my true zeal to my country had not overborne the care that I have for my own preservation, I should have gone another way to work than that I have done. Now, sir, I conceive that a hasty sentence once passed may sooner be repented of than recalled; and truly the self-same desire that I have for the peace of the kingdom and the liberty of the subject, more than my own particular ends, makes me now at last desire, that I having something to say that concerns both, I desire, before sentence be given, that I may be heard in the painted chamber before the Lords and Commons.

pose. He was tenacious of friendships, but never seems to have acquired a real friend; for they almost all betrayed him, and his

This delay cannot be prejudicial unto you, whatsoever I say. If that I say no reason, those that hear me must be judges; I cannot be judge of that that I ** have. If it be reason, and really for the welfare of the kingdom and the liberty of the subject, I am sure on it, it is very well worth the hearing. Therefore I do conjure you, as you love that that you do pretend (I hope it is real), the liberty of the subject, the peace of the kingdom, that you will grant me this hearing before any sentence be passed. I only desire this, that you will take this into your consideration: it may be you have not heard of it beforehand. If you will, I will retire, and you may think of it: but if I cannot get this liberty, I do protest that these fair shews of liberty and peace are pure shews, and that you will not hear your king.

"Bradshaw.—Sir, you have now spoken.

"King.—Yes, sir.

"Bradshaw.—And this that you have said is a farther declining of the jurisdiction of this Court, which was the thing wherein you were limited before.

"King.—Pray excuse me, sir, for my interruption, because you mistake me. It is not a declining of it; you do judge me before you hear me speak. I say it will not, I do not decline it; though I cannot acknowledge the jurisdiction of the Court, yet, sir, in this, give me leave to say, I would do it, though I did not acknowledge it; in this, I do protest, it is not the declining of it, since, I say, if that I do say any thing but that that is for the peace of the kingdom and the liberty of the subject, then the shame is mine. Now I desire that you will take this into your consideration; if you will, I will withdraw.

"Bradshaw.—Sir, this is not altogether new that you have moved unto us, not altogether new unto us, though the first time in person you have offered it to the Court. Sir, you say you do not decline the jurisdiction of the Court?

"King.—Not in this that I have said."

Here the Court adjourned for a short time, in order to remonstrate with and threaten Colonel John Downes, one of the judges, for having insisted on the Court bearing the king speak: having silenced him, the Court returned, and Bradshaw said, that notwithstanding what the king had offered, that they were resolved to proceed to sentence and to judgment.

"King.—Sir, I know it is in vain for me to dispute; I am no sceptick for to deny the power that you have; I know that you have power enough. Sir, I must confess I think it would have been for the kingdom's peace, if you would have taken the pains to have shewn the *lawfulness* of your power. For this delay that I have desired, I confess it is a delay, but it is a delay very important for the peace of the kingdom; for it is not my person that I look at alone, it is the kingdom's welfare, and the kingdom's peace. It is an old sentence, 'that we should think on long, before we resolve of great matters suddenly.' Therefore, sir, I do say again, that I do put at your doors all the inconveniency of a hasty sentence. I confess I have been here now, I think, this week; this day eight days was the day I came here first; but a little delay of a day or two further may give peace, whereas a hasty judgment may bring on that trouble and perpetual inconveniency, that the child that is unborn may repent it. And therefore again, out of the duty I owe to God and to my country, I do desire that I may be heard by the Lords and Commons in the painted chamber, or any other chamber that you will appoint me.

"Bradshaw.—You have been already answered to what you have even now moved, being the same you have moved before, since the resolution and the judgment of the Court in it; and the Court now requires to know whether you have any more to say for yourself than you have said, before they proceed to sentence.

"King.—I say this, sir, that if you hear me, if you will give me but this delay, I doubt not but I shall give some satisfaction to you all here, and to my

eyes seems to have been absolutely shut to their perfidy. He unfortunately acted on the maxim of rewarding his enemies and

people after that ; and therefore I do require you, as you will answer it at the dreadful day of judgment, that you will consider it once again.

" *Bradshaw.*—Sir, I have received direction from the Court.

" *King.*—Well, sir.

" *Bradshaw.*—If this must be reinforced, or any thing of this nature, your answer must be the same ; and they will proceed to sentence, if you have nothing more to say.

" *King.*—I have nothing more to say ; but I shall desire that this may be entered what I have said.

" *Bradshaw.*—The Court then, Sir, have something to say to you, which, although I know it will be very unacceptable, yet, notwithstanding, they are willing, and are resolved to discharge their duty.

" Then Bradshaw went on in a long harangue, endeavouring to justify their proceedings, misapplying law and history, and raking up and wresting whatsoever he thought fit for his purpose, alleging the example of former treasons and rebellions, both at home and abroad, as authentic proofs ; and concluding, that the king was a tyrant, traitor, murderer, and public enemy to the commonwealth of England.

" His majesty having, with his wonted patience, heard all these reproaches, answered :—

" I would desire only one word before you give sentence, and that is, that you would hear me concerning those great imputations that you have laid to my charge.

" *Bradshaw.*—Sir, you must now give me leave to go on, for I am not far from your sentence, and your time is now past.

" *King.*—But I shall desire you will hear me a few words to you ; for, truly, whatever sentence you will put upon me, in respect to those heavy imputations that I see by your speech you have put upon me. Sir, it is very true that—

" *Bradshaw.*—Sir, I must put you in mind ; truly, sir, I would not willingly, at this time especially, interrupt you in any thing you have to say that is proper for us to admit of ; but, sir, you have not owned us as a Court, and you look upon us as a sort of people met together, and we know what language we receive from your party.

" *King.*—I know nothing of that.

" *Bradshaw.*—You disavow us as a Court, and therefore for you to address yourself to us, and not to acknowledge us as a Court to judge of what you say, it is not to be permitted. And the truth is, all along, from the first time you were pleased to disavow and disown us, the Court needed not to have heard you one word ; for unless they be acknowledged a Court, and engaged, it is not proper for you to speak. Sir, we have given you too much liberty already, and admitted of too much delay, and we may not admit of any farther. Were it proper for us to do so, we should hear you freely, and we should not have declined to have heard you at large, what you could have said or proved on your behalf, whether for totally excusing, or for in part excusing, those great and heinous charges that in whole or in part are laid upon you. But, sir, I shall trouble you no longer ; your sins are of so large a dimension, that if you do but seriously think of them they will drive you to a sad consideration, and they may improve in you a sad and serious repentance. And that the Court doth heartily wish, that you may be so penitent for what you have done amiss, that God may have mercy at leastwise on your better part. Truly, sir, for the other, it is our parts and duties to do that that the law prescribes. We are not here *jus dare*, but *jus dicere* : we cannot be unmindful of what the Scripture tells us, ' For to acquit the guilty is of equal abomination as to condemn the innocent ; ' we may not acquit the guilty. What sentence the law affirms to a traitor, tyrant, a murderer, and a public enemy to the country,

of neglecting his friends ; the former accepted the reward and returned the blackest ingratitude, whilst, with some exceptions,

that sentence you are now to hear read unto you, and that is the sentence of the Court.

"Make an *O* yes, and command silence while the sentence is read."

Which done, their clerk, Broughton, read the sentence, drawn up in parchment:—

"WHEREAS the Commons of England in parliament had appointed them an high Court of Justice for the trial of Charles Stuart, king of England, before whom he had been three times convicted, and at the first time a charge of high treason, and other crimes and misdemeanours, was read in the behalf of the kingdom of England.

[Here the charge was repeated.]

"Which charge being read unto him as aforesaid, he, the said Charles Stuart, was required to give his answer; but he refused so to do: [expressing the several passages of his refusing in the former proceedings.] For all which treasons and crimes this Court doth adjudge, that he, the said Charles Stuart, as a tyrant, traitor, murderer, and a public enemy, shall be put to death by the severing of his head from his body.

"Which being read, *Bradshaw* added,—This sentence now read and published, it is the act, sentence, judgment and resolution of the whole Court.

"To which they all expressed their assent by standing up, as was before agreed and ordered.

"His majesty then said—

"Will you hear me a word, sir?

"*Bradshaw*.—Sir, you are not to be heard after the sentence.

"*King*.—No, sir?

"*Bradshaw*.—No, sir; by your favour, sir.

"Guard, withdraw your prisoner.

"*King*.—I may speak after sentence, by your favour, sir, I may speak after sentence, ever—By your favour, bold, the sentence, sir,—I say, sir, I do—I am not suffered to speak; expect what justice other people will have."

As his majesty was conducted out of the Hall, the soldiers insulted him, puffed their tobacco smoke in his face, and threw bits of their pipes in his way, that he might stumble; and one, more insolent than the rest, spit in his face; but the king took no other notice of this indignity than to wipe it off with his handkerchief. Through all the indignities to which he was subjected, his temper was unruffled, and he did nothing unbecoming his former majesty and magnanimity. After much entreaty and some delay, an order was given to admit his children, and bishop Juxon, to assist him in his private devotions.

When his family were admitted, he first gave his blessing to the lady Elizabeth, and said he was glad she was come. He bade her not to grieve nor torment herself for him, for that his death would be glorious, inasmuch as it was for the laws and the liberties of this land, and for the maintenance of the true protestant religion. He directed her to read bishop Andrew's Sermons, Hooker's Ecclesiastical Polity, and Laud's book against Fisher, which, he said, would ground her against popery. He told her that he had forgiven all his enemies, and hoped God would forgive them also; and he bid her tell her mother that his thoughts had never strayed from her, but that his love should be the same to the last. In conclusion, he bade her tell her brother James that it was his father's last desire that he should no more look upon Charles as his eldest brother only, but be obedient unto him as his sovereign; and that they should love one another, and forgive their father's enemies. Then taking the duke of Gloucester upon his knee, he said, "Sweet heart, now they will cut off thy father's head, mark, child, what I say; they will cut off my head, and perhaps make thee a king; but mark what I say, you must not be a king so long as your brothers Charles and James do live; and therefore he commanded him, upon his blessing, never to accept of the crown un-

the latter became disgusted, indifferent, and negligent in their duties. *Concession* was his ruin in both kingdoms. He con-

less it rebounded lawfully upon him, but to fear the Lord, and He would provide for him." At which words, the child sighing, said, "I will be torn in pieces first;" and these words falling unexpectedly from one so young, gave the king great satisfaction.

Balfour states, that on the 29th of January the king observed his own picture drawn on the glass of one of the windows, on which he gazed for a considerable time. The "ruffian, the captain of that blasphemous and traitorous guard his keeper," rudely reminded him that his meditations ought to be on something else. Bishop Juxon begged his majesty "not to notice the scurvy behaviour of so base a varlet." He concluded that the royal meditation was not without some object, and begged he would have the goodness to shew it to him. "You see," said the king, "that here is above my head a crown, but it should have a cross:" when he uttered some pious reflections on the vanities of earthly crowns and kingdoms; but he continued, "I have forgotten one thing, which is now come in my mind; you see here my figure, designed *Carolus rex*, and fitting my present estate and assured hope of my future felicity; this anagram of my name is presently come in thought of these two words *Carolus rex*—'*Cras ero lux*;' which I hope, in mercy of my blessed Saviour Jesus Christ, before the morrow at this time, shall be assuredly verified on me, a miserable sinner."

On Tuesday, the fatal 30th of January, five of the sectarian ministers were ordered to attend his majesty, but he peremptorily refused their assistance. Bishop Juxon, with some difficulty, was allowed to attend his dying sovereign, who read divine service and administered the Eucharist; and about ten o'clock the king was conducted on foot to Whitehall. There was an unexpected delay of more than two hours, which is supposed to have been occasioned by the intercession of ambassadors from the Hague for his life; but Cromwell had proceeded too far in this bloody tragedy to stop short just at this stage of it. At twelve o'clock the king refused to dine, but ate a piece of bread and drank a glass of claret, and spent the time in private devotion. At one o'clock he was brought through the banquetting house to the scaffold, to which a passage had been made through a window. The street was filled with troops, to keep off the people and prevent his speaking to them; he therefore omitted much that he had premeditated to say, and he addressed himself to colonel Tomlinson. Upon being reminded by Dr. Juxon, he added, "In troth, sirs, my conscience in religion, I think, is very well known to all the world, and therefore I declare before you all, that I die a christian according to the profession of the church of England, as I found it left me by my father; and this honest man [pointing to Dr. Juxon], I think, will witness it."

His body and the head were put into a coffin. Many dipped their handkerchiefs in his blood, some as trophies of their villainy, and others as the relic of a martyr. The ruling powers maliciously directed the surgeons to search for such internal symptoms as might disgrace either himself or his posterity; but were disappointed by an honest intruder, who gave a faithful account of his sound and healthy condition. On Wednesday, the 7th February, the royal corpse was delivered to four of his servants, who removed it to Windsor that night. Next day the duke of Richmond, marquis of Hertford, earls of Southampton and Lindsey, and the bishop of London, arrived with two votes of the Commons, which committed the funeral to the care of the duke, provided the expenses did not exceed £500. Colonel Whichcot refused their request that the interment might be in St. George's Chapel, according to the form of the Common Prayer. The governor had ordered an ordinary grave to be dug in the body of Windsor church, which the lords rejected with disdain. One of the old knights of Windsor secretly shewed them a vault in the middle of the quire, which they pretended to discover by the accidental knocking of their walking sticks. They caused this vault to be opened, and, on entering, they found one large coffin and a smaller one, which

ceded perpetuity to the Long Parliament, and placed the whole power of the crown of England in their hands; and he conceded to the Scottish estates the power of appointing to all places of power and trust, both civil and military, which in effect placed the sword in their hands. He conceded to the presbyterian faction the establishment of their discipline, of which he afterwards deeply repented, and attributed all his after misfortunes, as a just retribution for wickedly preferring human politics to "the dictates of a right informed judgment." In short, he yielded every thing to them which they had a mind to demand, and consigned the government entirely to the leaders of their faction, till they even owned they had nothing more to ask, and that they were, as they said, "a contented king with a contented people." But all his concessions, and their own professions of contentment, did not prevent their levying war against him, to force him to make the same alterations in England that he had unhappily done in Scotland. Before his murder, he began to see, when too late, the impolicy as well as the fatal effects of concession.

Hume says of him, "that his dignity was free from pride, his humanity from weakness, his bravery from rashness, his temperance from austerity, his frugality from avarice; all those virtues in him maintained their proper bounds, and merited unreserved praise. To speak the most harshly of him we may affirm, that many of his good qualities were attended with

has since been ascertained were those of Henry VIII. and his queen Jane. Here the remains of Charles were deposited by the officers of the garrison, at three o'clock in the afternoon of Friday the 9th of February; the lords bore the pall, and the bishop of London followed. Balfour asserts that no funeral service was read it being expressly prohibited by the governor; and the account says the interment took place "silently, and, without other solemnity than of sighs and tears, committed to the earth, the velvet pall being thrown into the vault over the coffin; to which was fastened an inscription in lead, of these words:—

" KING CHARLES. 1648."¹

Out of many epitaphs which were written on this sectarian crime, the following, from the pen of the great Montrose, is the most brief and apt:—

" Great, good, and just, could I but rate
My grief to thy too frigid fate,
I'd weep the world in such a strain
As it should deluge once again;
But since thy case much rather cries
For Briareus hands than Argus eyes,
I'll tune thy elegies to trumpet sounds,
And write thy epitaph in blood and wounds."

¹ The Account of King Charles's Trial, &c. affixed to his works.—Eikon Basilika.—Balfour's Annals iii. 399. 400.—Guthry's Memoirs, 255.

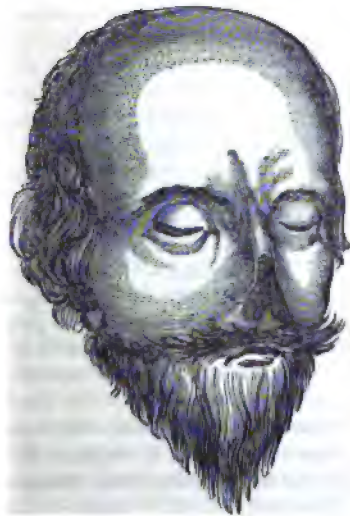
some latent frailty, which, though seemingly inconsiderable, were able, when seconded by the extreme malevolence of his fortune, to disappoint them of all their influence. His beneficent disposition was clouded by a manner not very gracious. He deserves the epithet of a *good* rather than a great prince; and was more fitted to rule in a regular established government, than either to give way to the encroachments of a popular assembly, or finally to subdue their pretensions. . . . Unhappily, his fate threw him into a period when the precedent of former reigns savoured strongly of arbitrary power, and the genius of the people ran violently towards liberty. And if his political prudence was not sufficient to extricate him from so perilous a situation, he may be excused; since even after the event, when it is commonly easy to correct all errors, one is at a loss to determine what conduct, in his circumstances, could have maintained the authority of the crown, and preserved the peace of the nation. Exposed, without revenue, without arms, to the assaults of furious, implacable, and bigotted factions, it was never permitted him, but with the most fatal consequences, to commit the smallest mistake;—a condition too rigorous to be imposed on the greatest human capacity.”

“ ————— CHARLES is in his grave ;
 After life's fitful fever, he sleeps well ;
 Treason has done his worst : nor steel, nor poison,
 Malice domestic, foreign levy, nothing,
 Can touch him further.”

Macbeth, Act iii. Scene 2.

I present the reader with an engraving of the head and face of the royal martyr, after it had lain a hundred and sixty-four years in the tomb. The search for his remains at St. George's Chapel, Windsor, was conducted by sir Henry Halford, in presence of the Prince Regent, and some members of the court. The particular vault in which the coffin was deposited had long remained unknown, though it was understood to be the one in which Henry the Eighth and one of his wives were laid. Accident led to its detection. A scroll, with name and date, served in some measure to authenticate the outer covering; but the examination of the head left not a doubt of the identity of the royal remains. Upon disengaging the face from the cere-cloth, which had been lined with an unctuous and resinous substance, apparently with a view to exclude the external air, the complexion of the skin was observed to be dark and discoloured. The forehead and temples had lost little

or nothing of their muscular substance: the cartilage of the nose was gone; but the left eye, in the first moment of exposure, was open and full, though it vanished almost immediately; and the pointed beard, so characteristic of the period of the reign of king Charles, was perfect. The shape of the face was a long oval; many of the teeth remained; and the left ear, in consequence of the interposition of the unctuous matter between it and the cere-cloth, was found entire. The countenance, in short, notwithstanding its disfigurement, bore a strong resemblance to the coins, the busts, and especially to the pictures of Charles the First by Vandyke. Finally, the fourth cervical vertebra was found divided transversely; the corresponding surfaces being smooth, betokening that they had been separated by a very sharp instrument. I quote these particulars from the interesting narrative lately published by sir Henry Hallford.



CHAPTER XXIV.

THE SOLEMN LEAGUE AND COVENANT,

OLIVER CROMWELL, PRESBYTERY THE REMONSTRATORS AND RESOLUTIONERS.

1649.—Charles II. proclaimed at Edinburgh—the king reprimanded.—Commissioners sent to Breda.—The duke of Hamilton arraigned—condemned—executed—his speech—anecdote—his history.—Argyle refuses to intercede.—Huntly executed.—London's intrigues—act of classes—negotiations with the king—his answer—the kirk's rigidity—Dr. Spang's complaint of it.—Omnipotence of the kirk.—Meeting of the commission at St. Andrews.—Dr. Barron deprived.—General Assembly meets—those who served in the Engagement excommunicated.—Seasonable warning.—Letter to the king.—Act abolishing patronage—remarks on it.—Clergymen deposed.—Committees for deposition.—Metre version of the psalms adopted.—Immorality.—1650.—Montrose—lands in Orkney.—Presbytery of Orkney deposed.—Montrose lands in Caithness—defeated and taken—his entry into Edinburgh—his condemnation—execution.—Ministers' altar.—Deputation to the king—his communicating offends the deputation—sails from Holland—lands at Spey—signs the covenant—king's suite removed.—Assembly meets.—Cromwell's invasion.—Act of the west kirk.—Letter to Cromwell—his answer.—Dunfermline declaration—the king's reluctance to sign it—unfairly forced.—Purgation of the army.—Violence of the ministers.—The king still farther humbled.—“The causes of the Lord's wrath.”—Battle of Dunbar—the effects of it.—Cromwell's correspondence with the ministers.—Meeting of commission—their address to the people.—A fast.—Opposition.—The household purged.—The king makes his escape—pursued and brought back to Perth.—Abortive attempts of the loyalists.—Questions put to the commission—their answer.—RESOLUTIONS.—THE REMONSTRANCE.—Parliament summon the commission to advise them—the commission's report.—Coronation.—Letter from the presbytery of Stirling to the commission.—Ministers of Stirling cited by the chancellor—their protest—the commission's judgment—consent to the repeal of the act of classes—act repealed.—Proceedings of the commission.—General Assembly—proceedings of the remonstrators—proposal to cede all England to Cromwell.—King went to Aberdeen.—Cromwell defeats general Holborn, and captures the commission of the kirk.—“The start” for England.—Battle of Worcester.—King's personal conduct.—Conclusion.

1649.—As soon as it was known at Edinburgh that Cromwell and the military had murdered the king, the parliament or

convention of estates, which was then sitting, resolved to proclaim his son king Charles II.; and on Monday, the 5th February, he was proclaimed at the market-cross of Edinburgh, by the Islay and the Snowdon heralds; Loudon, the lord chancellor, read the proclamation, and he was attended by all the members of the convention. "One act of our lamentable tragedy," says Baillie, "being ended, we are entering again upon the scene¹." This appearance of returning loyalty would be a redeeming trait in the history of the covenanters, had it not been clouded and debased by the conditions which they forced on the king. They probably did not anticipate that their principles would naturally and inevitably produce the "lamentable tragedy," the first act of which had just been ended; but the farther evil resulted from them, of compelling Charles II., then a youth of eighteen, to reside abroad among papists, and so to be exposed to their proselyting zeal, to which both he and his brother, the duke of York, fell victims. When Charles was proclaimed, he was only recognised as king ACCORDING TO THE SOLEMN LEAGUE AND COVENANT; and at the same time it was declared, that, before he be admitted to the exercise of the royal power, he *shall give satisfaction* to the kingdom in those things that concern the security of religion, the unity between the kingdoms, and the good and peace of the kingdom of Scotland according to the covenant. And the commission of Assembly sent their declaration to him, at Breda, stating that "they took the freedom to reprimand his majesty for adhering to the council of James Graham [the marquis of Montrose] and his accomplices. They advised him to settle the presbyterial government and worship in all his dominions, and upon this condition they promised him their assistance; but that otherwise all the blood shed by his father will be laid to his charge." It seems a curious system of theology, to make the signing of this ill-omened covenant the means of absolving from blood-guiltiness, and that the refusal to sign it should fix the irrevocable and hereditary stain on the king's head; but this is only one of the "lying wonders" of covenant uniformity.

COMMISSIONERS were sent by Argyle and his faction to treat with the king at Breda, who was pleased to recognise the committee of estates; but this embassy returned without any satisfactory result. Johnston of Warriston moved in the committee which the king had acknowledged, to make no more addresses to his majesty; but this motion was defeated by the dexterity of the marquis of Argyle. Cromwell arraigned the

¹ Balfour's Annals, iii. 387.—Baillie's Letters, iii. 66.

duke of Hamilton, by his English title of earl of Cambridge, on the 6th of February, before the regicide Bradshaw, under a charge preferred by John Cook, of having "traitorously invaded this nation in a hostile manner, and levied war to assist the king against the kingdom and people of England, and had committed sundry murders, outrages, rapines, wastes, and spoils, upon the said people; and particularly, about the 20th of August, near Preston, did make war, join battle, and fight against the forces of the parliament, and therein did murder and kill Colonel Thornley and others." Before such a tribunal there was little difficulty in establishing all the charges, and his condemnation followed. He had escaped from Windsor, but was taken in Southwark, and "committed to prison at St. James's;" and the night previous to his execution, he slept in the same apartment with the earl of Norwich, lord Capel, and sir John Owen, who were all likewise condemned to death, and beheaded, "by that impious parliament¹." The duke was executed on the 9th of March, and "had the good fortune to die for his loyalty; . . . and the fortitude of his death in a cause which, up to the eleventh hour, he had betrayed, is the solitary redeeming circumstance of his public life²." As we have expressed strong doubts of the duke's loyalty, and shewn but too convincing proofs of his treachery, it is but justice to his memory to allow him to speak for himself on the scaffold. "I take God to witness," he said, "that I have been constantly a loyal and faithful subject and servant to his late majesty, (in spite of all malice and calumny). I have had the honour since my childhood to attend and be near him, till now of late; and during all that time I observed in him as eminent virtues and as little vice as in any man I ever knew; and I dare to say he never harboured thought of countenancing popery in any of his dominions, otherwise than was allowed by the laws of England; and, among all his subjects, there could not be found a better protestant than himself. And surely, also, he was *free* from having any intent *to exercise any tyranny* or absolute power over his subjects; and that he hath been so unfortunate, I rather impute the *cause* of it to *the sins of his people* than to his own. For my own part, I do protest never to have swerved from that true allegiance which was due to him, and that hath constantly been paid (. . .) to his progenitors by my ances-

¹ Balfour's Annals, iii. 391.—Sir Edward Walker's, Garter principal king of arms, "Short Journal of several Actions performed in the kingdom of Scotland, after his Majesty's first arrival there out of Holland, the 24th June, 1650, *Stile veteri*, until the end of October following."

² Napier's Montrose and the Covenanters: ii. 521.

tors for many ages, without spot or dishonour, and I hope shall be still by my successors to his posterity¹."

It is natural for a man to put the best constructions upon his own public actions; but the duke's conduct bore such evident marks of treachery, that it is impossible to yield even to the ingenuity of bishop Burnet. Dr. Cockburn mentions it as a fact, related to himself by the two clergymen themselves, that they were the two representatives from the diocese of Moray, to the Glasgow Assembly of 1688; but from the difficulties which they experienced in travelling, they did not gain admission to the Assembly till the duke was making his speech previous to dissolving them. These simpletons followed the duke to his lodgings, and earnestly begged his grace's advice how to act; to which he answered, "*Why, sit still, and go on with your matters.*" Surprised at this advice, they inquired how that could be since he had dissolved the Assembly. He then discovered that he was speaking to the uninitiated, and entertained them with cold complimentary thanks for their attachment to his majesty's service, and then he dismissed them².

This treachery is further asserted and confirmed in a pamphlet published in the year 1648, as well as by a speech of his brother Lanerk's, who on one occasion dropped these words: "We can never have peace so long as this king or any of his *race* remains;" and, upon another occasion, "We can have no difference about monarchical government; all the difference will be *who* shall be king." The crown was the duke of Hamilton's object; and this anonymous author says, "When he returns to Scotland, he makes as great profession as at home, and as he had done abroad, and would gladly have seemed the most zealous man living for the king's interest; yet in all his actions he crossed the advice and resolutions of the king's friends. For the king being advertised that the covenanters had indicted a convention of estates without his knowledge, wrote a letter to the duke and those of the council to discharge the convention; but he, *concealing* the letter, desired the earl of Callander to speak to the earl of Roxburgh, and some other noblemen best affected to his majesty, and to crave their advice. They all in one voice answered, that it was their judgment the king should *disclaim the convention, and declare it illegal*. But the duke sends them word by the earl of Callander, that it was the king's mind to *approve* the convention, with some limitations; which,

¹ Burnet's Memoirs of the Dukes of Hamilton, lib. vi. 384-405.

² A Specimen of some free and impartial Remarks on Burnet's History, by R. Cockburn, D.D. p. 50.

although it made them to alter their advice, yet as it was related by the duke it was *most false*, the king never having had any such thing in his thought, until it was suggested to him by Hamilton *as the advice* of his friends in Scotland, and that there were hopes to carry matters in the convention for the king's advantage, or, at least, to hinder any assistance being sent to England against him. Thus the king and his faithful servants in Scotland were *deceived*, and, by Hamilton's policy, induced to countenance the convention, to the great prejudice of the king's affairs; but when they came there, yet the duke and his brother Lanerk's carriage, in that convention and after it, was noways according to what was promised in the conference with the noblemen that were affected to the king, . . . and how he would neither join with the king's friends in a course of opposition, nor give his approbation that they should do it themselves, without his personal appearance in the business, but on the contrary discouraged those who were ready and willing to take their lives in their hands, and to adventure all that was dearest unto them for his majesty.

"When he had thus disappointed the king's service, then he and his brother Lanerk wrote letters to the king to advertise him that very speedily an army was to come into England, and, according to their promise, they had hindered them all the summer, but could not hinder them any longer. Shortly after these letters the two brethren began their journey to court, where they found their juggling discovered to the king, and a process drawn against the duke, wherein it was offered to be proved, that he was the occasion of all the troubles and evils that had befallen these kingdoms; in particular, that he enticed the king to begin the war against Scotland, and in an under-hand way stirred up the people against the king, by advising them *not to yield, and bidding them insist, and they would get their will*; for he, [the king] said he, was a very coward, and that if he got his will he would prove a greater tyrant than Nero. That he had managed all businesses wherewith the king had entrusted him to his majesty's *disservice*; particularly, that he had given way to the present raising an army in Scotland against the king¹."

Argyle was glad to get rid of his former dupe and associate, and refused to intercede with his fellow-usurper Cromwell for his life, though strongly urged by the duke's friends, under the

¹ "The manifold practices and attempts of the Hamiltons, and particularly of the present Duke of Hamilton, now General of the Scottish Army, to get the Crown of Scotland. Discovered in an intercepted Letter, written from a Malignant here in London, to his Friend in Scotland." 4to. London, 1648.

pretence that as that chief had not spared the master, it was unlikely he would listen to any intercession for the servant. But, to evince their loyalty for their young sovereign, the parliament ordered the marquis of Huntly's head to be struck off at the cross of Edinburgh on the 22d of March, on his former foraultry, and which was done accordingly. Not satisfied with the destruction of that steady loyalist, they proceeded to remove such of their old associates in treason as, from some remaining sense of duty, had entered into the "duke's Engagement." Before rising in the end of March, the parliament conferred some substantial favours on the earl of Loudon, as a recompense for having "betrayed the king to his enemies, and the country to its oppressors; for, indeed, he played notoriously with both hands." He was at first the principal promoter of the Engagement for the king's relief; but now he disclaimed it, and oppressed those who had entered into it, and he spoke as much against that which he had formerly supported "as was sufficient to let understanding men know, that now he laboured to put him out of the way who only could call him to an account for his perjury and false packing¹." He was the prime instrument in passing the "act of classes;" by which all those who had been engaged in the duke's army, or who were favourable to the "Engagement," were ranked in several degrees, whence it was called an act of classes; and by this act they were excluded from all offices under government, public trust, and vote in parliament. Those who were excluded were never to be admitted to trust till they had satisfied the kirk, by a public profession of their repentance for their accession to the *unlawful* engagement, and were recommended by the commission; but all loyalists were rigorously excluded from office. And this was reckoned the best way of reaching *malignants*, and packing the government with those only who were enemies to the king, and who depended entirely on Argyle and his faction. By a letter to Baillie, from the Hague, it appears that this act of classes had damaged the national character; for, says Dr. Spang, "I most earnestly entreat you, that ye would represent to the reverend brethren of the commission, how much the fame of *rigidity*, used by them against the last year's engagers, is like to *endanger the reputation of our kirk* abroad, and like also to make *presbyterial government hateful*²."

LETTERS were received in April from the earl of Casillis, announcing to the committee of estates that his majesty would

Balfour's Annals, iii. 393-395.

² Baillie's Letters, iii. 78.

not recognise the parliament then sitting, nor allow their unjust act of classes; but was willing to grant any thing towards the advancement of religion; and the substance of his answer to the Scots commissioners was,—that he had voluntarily offered many concessions for the settlement of his affairs in Scotland, and endeavoured to give satisfaction to his people. He complained that they would not abate of the conditions, which were more unreasonable than had ever been proposed to any king; that they pressed him against his conscience, and the common freedom of the meanest subject; and put divers other things upon him unworthy of a king who regarded his people's welfare¹. The overbearing insolence of the kirk which ruled the government, was so notorious, that Dr. Spang warned his friend Baillie of the danger to civil and religious liberty which might result from it. I found none, says he, “complaining less of the severity of the kirk and parliament's proceedings with you, than those three noblemen who were made to leave their country, and to suffer the plundering of their goods by these severe acts. . . . Neither shall you ever have any sure peace without rescinding this last act [of classes], of your ranking whom ye have pleased to call malignants into four classes; *passion* has been *too great* in that act. . . . Both friends and enemies told me that that savoured much of the Romish severity. . . . If ye come hither [to Holland] and do not bring a full rescinding of what the parliament has decreed against them, ye will be looked upon as most ingrate men. . . . Generally the *great power* which the commission of the kirk exerciseth displeaseth all. It is but an extraordinary meeting, and yet sits *constantly* and more ordinarily than any synod; yea, and without the knowledge of provincial synods and presbyteries, deposes ministers, enjoins, *pro auctoritate*, what writs they please to be read, and inflicts censures on those who will not read them. If the kirk of Scotland look not to this in time, we will lament it when we cannot mend it. They say four or five rule that meeting; and is not the liberty of the kirk come to a fair market thereby? . . . Look that this course in time be stopped, else the commission of the kirk will swallow up all other ecclesiastical judicatories; and such ministers as reside in and about Edinburgh shall at last engross all church power in their hands. . . . We meet with daily regrets that the ancient ministers are contemned, and the insolency of young ones fostered, the very forerunner of Jerusalem's destruction².”

¹ Balfour's Annals, iii. 405.

² Baillie's Letters, iii. 81, 82.

IN THEIR INSTRUCTIONS to their deputies, whom they sent to the Hague, the commission directed them to represent to the king the sins of his house, and of its oppression of the people of God, that is, the covenanters, and to shew him that prelacy was a mere usurpation in Scotland, and was *never* established by law; and that as yet he was under no oath or obligation, as his father had been, to maintain prelacy in England¹. It would appear from this impudent assertion that the king with the three estates of parliament had no power to establish the episcopal church; but that the commission of the kirk could determine what should be law, and whatsoever was enacted without their consent, even *retrospectively*, was null and void in law! And, indeed, a presbyterian author, of very high repute with his party, asserts—"The *presbytery* hath the power of making peace and war; and the parliament ought not to enter into any war without them, more than Joshua did without the consent of Eleazar. Any union or engagement of the nation to defend the king's person, honour, or prerogative, is unlawful unless allowed by the presbytery. . . . The presbytery alone knows, and it can only determine, what the cause of God is; the king and parliament are *not* to be complied with, *but in subordination* to the covenant The presbytery can counteract the acts of the estates of parliament, and discharge the subjects from obeying such acts as are imposed without the consent of the presbytery²."

IN JUNE the commission of the kirk met at St. Andrews, at the instigation of Samuel Rutherford, James Wood, and Robert Blair, to inquire into the opinions of Dr. John Barron, provost of St. Salvator's College, whose sin was attachment to church and king; for which he was compelled to resign his provostry. So that, says Balfour, "it would appear to all honest men that these three men have with their abettors laid these following grounds:—1, to displace and defame, *quo cunque modo*, all honest and learned men; 2, all that affects monarchy or kingly government; 3, to displace all those in place that hold not their tenets, and to suffer none to be preferred but of their own stamp; 4, to have all places in the university at their disposition, that all, both masters and scholars, may depend on them, that with the more cunning they may both poison the fountains of religion and policy³." Blair had been justly expelled and banished from the university of Glasgow for propagating his republican principles among the students; but was

¹ Appendix to Baillie's Letters, ii. 460.

² Hind Let Loose, p. 86.

³ Annals iii. 410-413.

"transported" to St. Andrews by the covenanters, as a fit place for the diffusion of his venom. Rutherford had been of remarkably dissolute morals in his youth, and a sworn enemy to monarchy; he hated all men who differed from him in religious or political opinions; he was vindictive, unmerciful, and uncharitable, and a teacher of the same principles to others. But upon the approved maxim of his party, that "the greater the sinner, the better saint," he ranks high in their godly calendar.

ON WEDNESDAY, the 3d of July, the General Assembly sat down at Edinburgh, and elected Robert Douglas their moderator. On July 20th, the Assembly passed an act to compel all military officers, of every rank, to make public satisfaction, and to subscribe a declaration and acknowledgment of their guilt, in having served in the "Engagement," which they called "a great offence against God, and scandal to his people at home and abroad. . . . And, therefore, for removing of this offence, and for prevention of the like in time coming, the Assembly do declare and appoint . . . that these be processed, and, continuing obstinate, be forthwith *excommunicated* . . . whosoever were formerly joined in arms or council with *James Graham* [Montrose] in his rebellion . . . be not admitted or received to give satisfaction, but by the General Assembly or their commissioners. . . . That all who have been guilty as aforesaid, before their receiving to the covenant, shall make a solemn public acknowledgement in such matter, and before such congregations as the commission of the General Assembly, or presbyteries, *respective*, shall prescribe, according to the degree of their offence and scandal given. It is appointed and ordained that none of those persons who are debarred from the communion and covenant shall be admitted and received thereto, . . . till they have given real testimony of their dislike of the late unlawful Engagement, and of the courses and ways of malignants, and of their sorrow for their accession to the same¹."

The Assembly drew up and issued a long "Seasonable and necessary Warning and Declaration concerning present and imminent dangers, and concerning duties relating thereto;" in which they complain of the ignorance and profanity, the impenitence and security, that abounds still in the land, notwithstanding all the gracious *dispensations of the gospel* and means of *grace* in such purity and plenty!" They likewise assert that the establishment of so vast a toleration under the independents in England "cannot be the spirit of righteousness and holiness."

¹ Johnston's Collections, 445-49, Sess. 19.

And, moreover, as a token of that loyalty of which they were constantly boasting, they say, "But if his majesty, or any having or pretending power and commission from him, shall invade this kingdom upon pretext of establishing him in the exercise of his royal power, as it will be a *high provocation* against God to be accessory and assisting thereto, so it will be a *necessary duty to resist and oppose the same*. . . . As the parliament have begun, so we hope they will continue, *to purge out* all those from trust, that are not of known integrity and affection to the *Cause* of God, and of a blameless and christian conversation, and that they, and the officers of the army, in their respective places, will seriously mind, and speedily and resolutely go about the removing from the army all *malignant scandalous persons*, and also removing of sectaries when any shall be found therein, that they may give real evidence that they did not deal deceitfully with God, in the day that they engaged themselves thereto¹."

BEFORE THEY ROSE in their last session, they addressed a letter to the king, replete with impertinent admonition and insolent advice, suggested by their vulgar presumption: "Our hearts," they said, "are filled with fears and troubles in your majesty's behalf, when we look upon the sad calamities that have been lately produced by such ways and courses, as we perceive your majesty has entered, and in danger to be further led away into, by the prevalency of evil counsel upon your tender age: particularly your refusing to give satisfaction to the just and necessary desires of the people of God for advancing the work of reformation of religion, and establishing and securing the same in your majesty's dominions, which is nothing else but to oppose the kingdom of the Son of God, by whom kings reign, and to refuse that He should *reign over you* and your kingdoms, in *His pure ordinances of church government and worship*; your cleaving unto these men as your trustiest counsellors; . . . your owning the practices and entertaining the person of that flagitious man, and most justly excommunicated rebel, James Graham, who has exercised such horrid cruelty upon your *best* subjects in this kingdom, which cannot but bring upon your throne the guiltiness of all the innocent blood shed by him and *his complices* [this is an insult levelled at the late king, and shews their gratitude for all his unhappy concessions]. . . . It is high time to fall down before the throne of grace, seeking to get your peace made with God, through Jesus Christ, whose blood is able to wash away all your sins [this

¹ Johnston's Collections, Sess. 27, p. 450-455.

is one of the many inconsistencies and contradictions of the Eternal Decree], to walk no longer in the counsel of the ungodly, nor cleave to such as seek their own things and not the things of Jesus Christ, nor the welfare of your subjects and government, but to set your eyes upon the *faithful* in your dominions, that such may dwell with you and be men of your councils, to serve the Lord in fear, and kiss the Son of God, by a sincere and cordial contributing your royal allowance and authority for establishing in all your dominions the reformation of religion in doctrine, worship, and government, as it is now agreed upon according to the clear and evident warrant of the word of God, by the Assembly of divines at Westminster, and the General Assemblies of this church; and also, laying aside that service-book which is stuffed with Romish superstitions, and conforming your own practice, and the worship of God in your royal family, to that gospel simplicity and purity which is holden forth from the word of God in the Directory of Worship, and not only to grant your royal approbation to the covenant of these three kingdoms (without which your people can never have from you sufficient security, either for religion or their just liberties), but also yourself to join with your people therein, as the greatest security under heaven for your person and just greatness, and to cause all of them to stand to it by your royal command, according to the practice of that gracious king, Josiah, to whom we wish your majesty, in these your younger years, and this beginning of your reign, to look as an example and kingly portrait approved of God. Dated the 6th of August, 1649¹."

This Assembly also passed an act "discharging promiscuous dancing²;" and another approving of and thanking the parliament for the ABOLITION OF PATRONAGES³. This act was made by parliament on the 9th of March, which Balfour calls "a most strange act;" and which was done by Argyle and Johnston entirely from selfish and political motives, but which they persuaded the ministers was altogether for the glory of God and the benefit of the kirk. The following is an extract from the act itself:—

"THE ESTATES OF PARLIAMENT, being sensible of the great obligation that lies upon them by the national covenant, and by the solemn league and covenant, and by many deliverances and mercies from God, and by the late solemn engagement unto duties, to preserve the doctrine, and maintain and vindicate the liberties of the kirk of Scotland, and to advance the refor-

¹ Johnston's Collections, 480-85.

² Sess. 18.

³ Sess. 23.

mation therein to the utmost of their power ; and considering that patronages and presentations of kirks are evils and bondages under which the Lord's people and ministers of this land have long groaned, and that it hath no warrant in God's word, but is founded only on the common law, and is a custom popish, and brought into the kirk in times of ignorance and superstition ; and that the same is contrary to the Second Book of Discipline, in which, upon solid and good ground, it is reckoned among abuses that are desired to be reformed, and unto several acts of General Assemblies, and that it is prejudicial to the liberties of the people and planting of kirks, and unto the free calling and entry of ministers unto their charge ; and the said estates being willing and desirous to promote and advance the reformation aforesaid, that every thing in the house of God may be ordered according to his word and commandment, DO THEREFORE, from the sense of the former obligations, and upon the former grounds and reasons, discharge for ever hereafter all patronages and presentations of kirks, whether belonging to the king or to any laick person, presbyteries, or others, within this kingdom, as being unlawful and unwarrantable by God's word, and contrary to the doctrine and liberties of this kirk. . . . And it is further declared and ordained, that if any presentation shall hereafter be given, procured, or received, that the same is null and of none effect ; and that it is lawful for presbyteries to reject the same, and to refuse to admit any to trials thereupon ; and, notwithstanding thereof, to proceed to the planting of the kirk, upon the suit and calling, or with the consent of the congregation, on whom none is to be obtruded against their will."

THIS IS THE FAMOUS ACT which has laid the foundation of so much heart-burning and so many disputes as have arisen among all the sects of presbyterians. The earl of Buccleugh and several others opposed and protested against this act, "as wrongous and altogether derogatory to the just rights of the nobility and gentry of the kingdom of Scotland, and so departed the parliament-house. But current was carried the presbytery's, and church way ; in respect Argyle, the chancellor, and Archibald Johnston, the kirk's minion, durst do no otherwise, lest the leaders of the church should desert them, and leave them to stand on their own feet, which, without the church, none of them could well do. This notable prank, in effect, resembles the fourteenth gravamen which Germany did exhibit, reg. Carol. V., to pope Adrian, amongst the abuses of the Roman See, that the pope and his legates usurped the right of patronage belonging to laics, &c. . . . and this act, to make it the more specious, they coloured with the liberty of the people

to choose their own ministers; yet the General Assembly . . . this same year made a sore mint [attempt] to have snatched *this shadow* from the people, (notwithstanding their former pretences,) colationed the sole power on the presbyteries, and out-fooled the people of that right they formerly pretended did only and specially belong to them *jure divino*; as, according to the *new* divinity of these times, till the act was passed, both the leaders and *their creature* Johnston pleaded with all the forcible arguments wrested scripture could produce, to *procure their own ends and greatness*, which time will not fail hereafter fully to discover to a wronged posterity¹."

This "sore mint" is confirmed by Baillie, who says, "We had the greatest debate [in the commission] for an act for election of ministers. Mr. D. Calderwood was peremptory that, according to the second book of discipline, the election should be given to the presbytery, with power to the major part of the people to dissent upon reasons to be judged of by the presbytery. Mr. Rutherford and Mr. Wood were as peremptory to put the power and voices of election in the body of the people, contradistinct from their eldership; but the most of us were in Mr. Gillespie's mind in his Miscellanies, that the direction was the presbytery's, the election the sessions, and the consent the people's. . . . However, we find already the *defect* of our act; for, as I conceive, so much direction in this act is due to presbyteries, that they ought to recommend to the session men to be elected, without prejudice of their liberty to add whom they think fit; but I find it the design now of leading brethren, that the presbyteries shall not meddle at all with any recommendations, but leave that wholly to any particular busy man of the presbytery, to whisper in the ears of leading persons of the parish to get voices to any young man, though never heard in privy exercise, that he, by desire of the people to the presbytery, may be put on trial for such a church. This I find will be the way of our elections, which I think unorderly. However, Mr. Calderwood entered a sharp protestation against our act, which he required to be registrate. This is *the first protestation* we heard of in our time; and had it come from any other, he had not escaped censure²."

THIS ASSEMBLY deposed many of the ministers for maintaining the necessity and lawfulness of "the duke's Engagement;" amongst whom were Andrew Ramsay and William Colville, ministers of Edinburgh, who "would not dance to the play of the leaders, Douglas, Dickson, Cant, Guthrie, and Law." Mr

¹ Balfour's Annals, iii. 391-92.

² Baillie's Letters, iii. 94, 95.

Ramsay had been fifty-three years in the ministry, thirty-six of which he had served in Edinburgh. Guthrie, one of the leaders, was minister of Lauder, and "a man once *totally episcopal*, but now a *prime railer*, a great favourer of conventicles, privy meetings, and sectaries." Mr. Henry Guthrie, afterwards bishop of Dunkeld, narrowly escaped deposition for *malignancy*; and an unsuccessful motion was made to prosecute Ramsay and Colville, "as guilty of all the blood and all the consequents of the engagement¹." For the full purgation of the kirk, the Assembly appointed committees in different divisions of the kingdom, composed of the most zealous of their brethren, but chiefly the younger ministers, to depose those malignant episcopal clergymen, whom the synods or presbyteries had spared or overlooked. The Assembly also adopted the version of the psalms in metre, which had been made by a Mr. Rouse, an independent, and of whom Baillie seems to be jealous that he had foisted in some sectarian opinions. Thus, the presbyterians continued their unpatriotic system of following foreign institutions and customs.

IN CONSEQUENCE of the extirpation of the church and the reign of the saints, when the kirk was again reformed and put upon what they called a "scriptural basis," by the abolition or patronage, morality seems to have been at the lowest ebb with these "godly saints." Balfour, who was himself a covenanter, says, "all their actions are not only illegal, but most irreligious and impious, both contrary to the laws of God and men; themselves being tainted with all the heinous sins and impieties wherewith any heathen nation hath been branded, even Sodom itself—if perjury, covenant-breaking, hypocrisy, ambition, covetousness, and all sorts of blasphemies in the highest degree against the blessed Trinity, can by them be accounted sins!"

BY THE ACT OF CLASSES Argyle and Loudon had remodelled the government, and filled the different offices with their own partisans; and as these noblemen were members of the commission also, they ruled both in church and state, and erected a most intolerable ecclesiastical tyranny through the willing instrumentality of the presbyterian ministers. In fact, the ministers were now in their glory, and they considered this the "golden age of the church." Kirkton, who lived in those days, says, "Now the ministry was notably purified, the magistracy altered, and the people *strangely refined*. Scotland hath been, even by

¹ Balfour's Annals, iii. 417-19.—Baillie's Letters, iii. 92.

² Annals, iii. 421.

emulous foreigners, called Philadelphia; and *now she seemed to be in her flower*."—"The few ministers who were suspected, not of disaffection only *but even of moderation*, were *deposed*; numbers of the laity, for but grumbling at the covenant, were fined and imprisoned; the very noblemen and barons were obliged to take young probationers into their families in the quality of chaplains, but in reality to be spies upon them, and to report their private behaviour to the presbyteries; and, to enforce all these severities, they had parties of highlanders at their command here and there, whom the few concealed episcopalians used to call *Argyle-apostles*¹."

1650.—THE KING'S COURT at the Hague was divided into parties; but which all cordially united in misrepresenting the gallant Montrose to the king. They were so pharisaical as to leave the room when he entered, on account of his pretended excommunication by the kirk; and they advised the king to hold no communication with him, but to take the covenant, and throw himself into the arms of the kirk and parliament. The king, however, gave him a commission to raise forces, and appear in Scotland for his interest; when he visited all the courts of the north of Europe, and "lived among crowned heads²." He received liberal promises from all of them; but could only procure a very few troops, which he sent before him into Orkney, about the middle of April. The presbytery of these islands met, and MR. AITKEN, their moderator, and afterwards bishop of Moray, drew up and presented a declaration to the marquis, containing the warmest expressions of loyalty to the king, and their firm determination to adhere to their allegiance. For this laudable transaction Aitken was excommunicated, and the whole presbytery were deposed by the commission of the kirk³. An order of council was issued to apprehend Dr. Aitken, and he would have been executed as a traitor, had not a friendly hand given him notice, so that he escaped to Holland. Montrose crossed over into Caithness, at the head of a forlorn hope of only a few hundred men, where he published the king's commission, and summoned the loyal chiefs to his standard; but before they could send round the fiery cross among their vassals, the king's gallant lieutenant was defeated and taken prisoner, on the 1st May, at Corbiesdale. On the 17th May the parliament prejudged, and in effect gave sentence of death on this gallant and loyal nobleman, before his arrival in

¹ Skinner's Ecclesiastical History, ii. 412.

² Napier's Montrose and the Covenanters.

³ Keith's Catalogue, 153.

Edinburgh; for they passed an act, "ordaining James Graham to be brought from the Watergate on a cart bare headed, the hangman, in his livery *covered*, riding on the horse that draws the cart, (the prisoner to be bound to the cart with a rope), to the tolbooth of Edinburgh, and from thence to be brought to the parliament-house, and there, in the place of the delinquents, on his knees, to receive his sentence,—viz. to be hanged on a gibbet, at the cross of Edinburgh, with his book [his own *Life*, by Dr. Wishart] and declaration tied about his neck, and there to hang for the space of three hours, until he were dead; and thereafter to be cut down by the hangman, his head, hands, and legs to be cut off, and distributed as follows: viz. his head to be affixed on an iron pin, and set on the pinnacle on the west gable of the new prison of Edinburgh; one hand on the porte of Perth, the other on the porte of Stirling; one leg and foot on the porte of Aberdeen; one leg and foot on the porte of Glasgow. If he was at his death penitent, and relaxed from excommunication, then the trunk of his body to be interred by pioneers in the Greyfriars,—otherwise, to be interred in the Burrow-moor, by the hangman's men, under the gallows¹."

This was covenanting malice and revenge. On the 20th May he was brought to the bar of the parliament-house, and, without the formality of a trial, had the above sentence pronounced. He made a noble and spirited defence to the virulent accusation of Loudon, who "replied, punctually proving him, by his acts of hostility, to be a person most infamous, perjured, treacherous, and, of all that ever this land brought forth, the most cruel and inhuman butcher and murderer of his country; and one whose boundless pride and ambition had lost the father, and, by his wicked counsel, done what in him lay to destroy the son likewise²." The whole particulars of this extraordinary and truly admirable nobleman are related with great interest by Mr. Napier. Montrose heard this sentence, which would have disgraced a horde of savages, with the greatest firmness and magnanimity; and it was carried into execution with the most minute barbarity. As he died unrepentant, in their sense, his trunk was buried agreeable to the sentence. The scaffold on which he had suffered was kept standing for the space of two months, for the execution of the officers who had served under him, and all the malignants or loyalists who had appeared for the king; "so that it became all covered with blood and gore, and was called '*the ministers*'

¹ Act, 17th May, session 1.

² Balfour's Annals, iv. 8-16.

altar;' of whom it was sarcastically observed on this occasion, 'that they [the ministers] delighted not in *unbloody* sacrifices¹.'

PARLIAMENT appointed the earls of Cassillis and Lothian for the nobles, Mr. Brodie, of Brodie, for the baronial estate, Messrs. Smith and Jeffray for the burgesses, with Messrs. James Wood, John Livingstone, and George Hutchison, from the commission of the kirk, as a deputation to the king at Breda. Their time for negotiation was limited to thirty days; and they carried a warrant under the great seal to borrow £300,000 for the king's use, if he should come to their terms, but "otherwise to give him no money at all." But the following rather long citation from principal Baillie will shew the selfish views of the leading men of that time, and that they had no real intention of recalling or supporting the king. He says, "In our debates at the time of the Engagement, our public professions were of our clearness to fight against the English sectaries, for vindication of the covenant, and the king's just rights, on the parliament's grant to us of some few desires. Messrs. James Guthrie and John Livingstone, their whisperings a little in the ear to the contrary, were not then audible. It was strange to me thereafter when I heard Warriston and Mr. Guthrie speak it out, that it would take a long debate to clear from the covenant the lawfulness of an offensive war against Cromwell and his party; yet in a short time it appeared that the quarrel of the king or covenant, or any quarrel tending to war with the English, became to divers more questionable than it wont to be. Whether a fear of the troubles of war or despair of conquising [conquering] the king to the public or their own personal interests, or a desire to keep the government not only in the *form* but in the *hands* it was in, or, truly, judgment of mind did draw men to those changes of former professed principles, I cannot say; only a great deal of zeal was begun to be practised against all who did smell in any excess of favour towards the king. What strict acts of kirk and state were made against malignancy! What numbers were cast out of their charges both in the *church*, state, and army! What bars were put to their readmitting! You know, too much pleading was *for the justice* of beheading the king; whatever fault was in the actors. Mr. Guthrie and Mr. Gillespie's debates were *passionate against* the proclaiming of the king till his qualification for government had first been tried and allowed. You may remember the labour was taken

¹ Skinner's Ecclesiastical History, ii. 418.

to hinder the addresses to the king; and how like it was to have prevailed, had not the reason, authority, and diligence of Argyle, overswayed it; and for all that could be said, the voting of Messrs. Guthrie, Gillespie, Hutchison, and Durham, that no commissioner should be sent till a change in the king should appear: and when it was carried to send commissioners, I will not forget the great study of some *to make their instructions so RIGID, that few had any hope the king would ever assent to them;* and when (above hope) the king had yielded to all the commissioners had required, the industry of these same men, to get new instructions, posted away to Holland, which, if they had come thither before the king's embarking, were expected by all *would have ruined the treaty.* Yet when, by the extraordinary favour of God, the king was brought in Scotland *to do what either the kirk or state required;* and upon this agreeance the noise of Cromwell's march towards us was grown loud, sir John Chiesley, Hopeton, and Swinton, *kept off,* by their debates in parliament, the raising of our army *so long,* that we were *near surprised;* and when our army was gotten together at Leith, the same men helped, by their *continual cross debates,* to keep all in confusion; their strange affronting of the king at Leith [by obliging him with all the loyalists to quit the army and return to Perth]; the putting of him to a new declaration; and when he stuck at some hard expressions concerning the persons of his father and mother, their procuring from the kirk and state that terrible act of disclaiming his interest, of the 13th of August; that same night without the king's knowledge, printed it and sent it to Cromwell with a trumpet. All those things bred jealousies in the observers what the *intentions* of some men might be; yet all was dissembled, till after the defeat at Dunbar these intentions brake out in their actions¹."

It appears, therefore, that what between butchering his friends, overreaching and starving himself, his majesty found that he had fallen into the hands of the Philistines; and, being in no condition to treat with the covenanting bigots, he was obliged to comply with their demands, to sign their most impious covenant, to establish presbytery, and to make such other concessions as not only relieved the fears of the most guilty for their heads, but confirmed the powers which had been so madly granted by the late king to the parliaments and General Assembly. Livingstone remonstrated with the king for using the Book of Common Prayer, and rudely attempted to prevent his receiving the holy sacrament of Christ's Body and Blood

¹ Baillie's Letters, iii. 113-114.

on the Sunday previous to his sailing from Breda. He "went to him and showed him the *sin* of so doing [in a kneeling posture]; how it would provoke God to blast all his designs; was inconsistent with his concessions; and would confirm some who were of opinion that he was only dallying with God and them. They left him to think of what they had said till after supper; but when they returned they found him fixed in his resolution. He said, his father used always to communicate at Christmas, Easter, and Whitsunday, and he behoved to do so likewise; and that people would think strange of him if, having resolved to communicate, he should forbear it; and that he did it to procure a blessing from God on his intended voyage. In short, all they could say could not prevail; so that in effect," says Livingstone, "his majesty broke the treaty before he left Breda¹."

ON THE 12TH JUNE his majesty and suite sailed from Holland in a Dutch man-of-war; but Livingstone would not sail in the same ship, because of certain malignants which were attending on the king: he was thankful that he was more holy than these loyal gentlemen, and asserted that they were taking the plague of God with them. After a stormy passage of nine days his majesty came to anchor at Holy Island, where new demands were pressed upon him, and which it was not in his power to refuse. After a delay of six days he again sailed for Shetland; but, on the 3d of July, the ship bore up for the Moray Firth, and anchored at the mouth of the river Spey, having providentially escaped the danger of capture by an English fleet, which had that morning left the firth. Before his majesty was suffered to land he was obliged to sign the solemn league and covenant, and heard a long exhortation from one of its ministers to adhere to it, and to prosecute its ends. Next morning he was permitted to land at Garmouth, and was conveyed to the Bog of Gicht, now called Gordon castle, which belonged to the marquis of Huntly, and in which the parliament had placed a garrison. To keep the king entirely in their own hands, Argyle had procured an act of parliament, on the 4th June, to remove from the kingdom all the malignants comprehended in the act of classes, sixteen of whom are expressed by name, among whom were Hamilton and Lauderdale². These, and the other noblemen and gentlemen who had come with the king, were now removed, and Argyle's partisans

¹ Life of Livingstone, cited in Cruickshank's *History of the State and Sufferings of the Church of Scotland*, i. 39.—*Scots Worthies*, 293, 294.

² Balfour's *Annals*, iv. 41, 42.

were placed in attendance on him. In a few days he was taken to Aberdeen, every where the people testifying the most affectionate loyalty; but the nobility and gentry, being all *malig-nants*, were not permitted to approach his majesty. The first object that greeted the royal eyes at Aberdeen was the mangled limb of his faithful and loyal servant, the marquis of Montrose. In his progress southward he slept at the houses of the loyal noblemen; but who were not permitted to do the honours of their own houses, nor to wait upon his majesty. At St. Andrews he was received by principal Rutherford, who made a long oration: "and amongst other his expressions told him, that if he persisted not in the covenant, *actum est de rege, et re regia*," it is all over with the king and his affairs¹.

THE GENERAL ASSEMBLY met at Edinburgh on the second Wednesday of July, according to the appointment of the last Assembly; but the rumour of Cromwell's invasion rendered their meeting short and insecure: and there was no business transacted beyond the usual preliminaries of fencing the Assembly, and appointing the next to meet at St. Andrews in July of the following year.

THE RUMP were alarmed at their rivals getting possession of the king's person, which, properly managed, might become a tower of strength; they therefore recalled Cromwell from Ireland, where he had committed the most atrocious retaliatory cruelties on the papists. Cromwell assured the Rump that he would conquer the Scots more easily than had ever been done, in consequence of their religious dissensions, and came towards the border with only nineteen thousand men. Meantime the Scots had raised thirty thousand men to oppose him; but they were neither well armed nor disciplined. On the 22d of July he crossed the Tweed, and advanced within a few miles of Edinburgh. General Leslie stood on the defensive all the month of August, till Cromwell was obliged to retreat and take up a position at Dunbar. At this time the presbyterian ministers were not idle; the commission met at the West Kirk on the 18th of August, and made the following act and declaration, which was ratified and approved by the committee of parliament the same day.

"THE COMMISSION of the General Assembly, considering that there may be just grounds of stumbling, from the king's majesty refusing to subscribe and emit the declaration offered to him by the committee of estates and the commission of the General Assembly, concerning his former carriage and resolu-

¹ Walker's Journal of Affairs, 158-160.

tions for the future in reference to *the Cause of God*, and the enemies and friends thereof; NOTH THEREFORE DECLARE that this kirk and kingdom doth not own or espouse any *malignant* party, or quarrel or interest, but that they fight merely upon their former grounds and principles, and in the defence of *the Cause of God* and of the kingdom, as they have done these twelve years past: and *therefore* as they disclaim all the sin and guilt of the king and of his house, so they will *not own him* nor his interest otherwise than with a *subordination* to God, and so far *as he owns and prosecutes the Cause of God* [that is, in subjection to the domination of the kirk]; and disclaims his father's opposition to the word of God and to the covenant; and likewise all the enemies thereof, and that they will with convenient speed take into consideration the papers lately sent unto them by Oliver Cromwell, and vindicate themselves from all the falsehoods contained therein, especially in those things wherein the quarrel betwixt us and that party is misstated, *as if we owned the late king's proceedings*, and were *resolved to prosecute and maintain* his present majesty's interest, before and without acknowledgment of the sin of his house and former ways, and satisfaction to God's people in both kingdoms¹.
W. A. KERR."

On the same date, this document, with the committee's ratification, were enclosed in the following letter from general Leslie to Cromwell. "My lord, I am commanded by the committee of estates of this kingdom, and desired by the commissioners of the General Assembly, to send unto your excellency the enclosed declaration, as that which contained the state of the quarrel, wherein we are resolved, by the Lord's assistance, to fight your army, when the Lord shall please to call us thereunto. And as you have professed you will not conceal any of our papers, I do desire that this declaration may be made known to all the officers of your army, and so I rest.
" (Signed) DAVID LESLIE "

13th August, 1650.

CROMWELL was an adept at canting, and, in reply to the general's letter, he expostulated with them for backsliding from the principles of the covenant by acknowledging the king. To remove this reproach, and to deceive the independents, they now again urged his majesty to sign a declaration, which he had before peremptorily refused to do, wherein he was

¹ Balfour's Annals, iv. 95, 96.

made to lay the whole blood and guilt of the rebellion entire yon his father's head, to justify the rebels as good and loyal subjects; and to promise to root out episcopacy in all the three kingdoms. But Balfour states that the king absolutely refused to declare any thing that might rub upon his father, so the commissioners departed unsatisfied¹. In the before-mentioned declaration the kirk disclaimed and renounced the king; and the extreme necessity of his condition, his father's murderer lying near him at the head of a powerful army, and all his advisers removed from him, his own youth and natural reluctance to embrace martyrdom, being considered, he consented to sign the Dumfermline Declaration. On Wednesday afternoon, the earl of Weymess and Mr. Winram visited his majesty there, and brought "a short declaration of the commission of the kirk, ratified by the committee of estates, shewing that since by their frequent messages and petitions sent to his majesty, anent [respecting] his assent to a declaration to be emitted, he had altogether refused the same; these, *therefore*, were to shew to the world, that until he condescended to pass the foresaid Declaration, *they would neither own him nor his cause*²." The extreme pressure, with the many attendant circumstances, form a full excuse for his yielding to their importunity; and he said afterwards "that he *did not* think his father guilty of blood; and that notwithstanding he had so declared, he had his own meaning thereof." The king's reluctance was produced by the commission as one of his most heinous sins, that when "he did condescend to subscribe the demands," they said, "and take the covenant, it was with a *reserve* of a declaration, which he did not pass from, until the commission of the church did refuse to admit thereof." An equivocation and mental reservation in taking an oath or making a declaration is contrary to sound morality; but perhaps the king's meaning might be, that his father's mistaken clemency, in the outset of his reign, to the seditious spirits who afterwards murdered him, was the cause of the bloodshed, which firmness and vigour, with some examples of punishment, might have prevented. The guilt of this atrocious transaction rests entirely on the commission of the kirk, which was composed of presbyterian ministers and elders. Gillespie, one of their number, put the pen into the king's hand, after he had reluctantly consented to sign it, and with the hypocrisy of his party told him that "if he was not satisfied in his soul and conscience beyond all hesitation of the *righteousness* of the subscription, he was so far from over

¹ Ba.four's Annals, iv. 90.² Ibid. iv 91.

driving him to run upon that for which he had no light, that he obtested him; yea, charged him in his master's name, not to subscribe that declaration, no, not for the three kingdoms." And while he hesitated with filial reluctance to subscribe this unnatural declaration, the ministers at court "thundered out against the king that they were deceived in him, that he was the very *root of malignancy*, and an utter enemy to the kingdom of Christ; and the covenant which he had taken was only to gain his own ends, and that they must take heed of him, and the heathen people about him¹."

¹ Walker's Journal of Affairs, 160. This infamous transaction appears therefore to have been entirely the work of the remonstrator presbyterians, afterwards called covenanters, and reflects eternal disgrace on them; but with which the episcopalian clergy and presbyterian resolutioners had nothing to do. It is entirely the work of the treacherous remonstrators, who were spurred on by crafty jesuits in disguise, and who are at the foundation of all the religious troubles and schisms in Great Britain. The following is a copy of the Dunfermline Declaration:—

His majesty, taking in consideration that merciful dispensation of divine Providence, by which he hath been recovered out of the snare of evil counsel; and having attained so full persuasion and confidence of the loyalty of his people in Scotland, with whom he hath too long stood at a distance, and of the righteousness of their cause, as to join in one covenant with them, and to cast himself and his interests wholly upon God; and in all matters civil to follow the advice of his parliament, and such as shall be intrusted by them; and in all matters ecclesiastic, the advice of the General Assembly and their commissioners; and being sensible of his duty to God, and desirous to approve himself to the consciences of all his good subjects, and to stop the mouths of his and their enemies and traducers, doth, in reference to his former deportments, and as to his regulations for the future, declare as follows:—

Though his majesty, as a dutiful son, be obliged to honour the memory of his royal father, and have in estimation the person of his mother, yet doth he desire to be deeply humbled and afflicted in spirit before God, because of his father's hearkening to and following evil counsels, and his opposition to the work of reformation, and to the Solemn League and Covenant, by which so much of the blood of the Lord's people has been shed in these kingdoms; and for the idolatry of his mother; the toleration whereof in the king's house, as it was matter of great stumbling to all the protestant churches; so could it not but be a high provocation against him "who is a jealous God, visiting the sins of the fathers upon the children;" albeit, his majesty might extenuate his former carriages and actions, in following of the advice, and walking in the ways of those who are opposite to the covenant and to the work of God, and might excuse his delaying to give satisfaction to the just and necessary desires of the kirk and kingdom of Scotland, from his education, and age, and evil counsel, and company; and in reference to religion and the ancient government of the kingdom of England, to which he hath the undoubted right of succession: yet knowing that he hath to do with God, he doth ingenuously acknowledge all his own sins, and all the sins of his father's house, craving pardon and hoping for mercy and reconciliation through the blood of Jesus Christ. And as he doth value the constant addresses that were made by his people to the throne of grace, on his behalf, when he stood in opposition to the work of God, as a singular testimony of long-suffering, patience, and mercy, upon the Lord's part, and loyalty upon theirs; so doth he hope, and shall take it as one of the greatest tokens of their love and affection to

AT THE INSTIGATION of the commission the committee of estates commanded all the malignants and engagers to leave the

him, and to his government, that they will continue in prayer and supplication to God for him ; and the Lord, who spared and preserved him to this day, notwithstanding of all his own guiltiness, may be at peace with him, and give him to fear the Lord his God, and to serve him with a perfect heart, and with a willing mind, all the days of his life.

And his majesty having, upon full persuasion of the justice and equity of all the heads and articles thereof, now sworn and subscribed the national Covenant of the kingdom of Scotland, and the Solemn League and Covenant of the three kingdoms, doth declare, that he hath not sworn or subscribed those covenants, and entered into the oath of God with his people, upon any sinister intention or crooked design for attaining his own ends, but so far as human weakness will permit, in the truth and sincerity of his heart, and that he is firmly resolved in the Lord's strength to adhere thereto, and to prosecute to the utmost of his power all the ends thereof, in his station and calling, really, constantly, and sincerely, all the days of his life ; in order to which, he doth, in the first place, profess and declare, that he will have no enemies but the enemies of the covenant, and that he will have no friends but the friends of the covenant. And, therefore, as he does now detest and abhor all popery, superstition, and idolatry, together with prelacy and all errors, heresy, schism, and profaneness, and resolves *not to tolerate*, much less to allow any of these, in *any part* of his dominions, but to oppose himself thereto, and to *endeavour the extermination* thereof to the utmost of his power, so doth he, as a christian, exhort, and, as a king, require, that all such of his subjects who have stood in opposition to the Solemn League and Covenant, and work of reformation, upon a pretence of kingly interest, or any other pretext whatever, to lay down their enmity against *the cause and people of God*, and to cease to prefer the interests of man to the interests of God ; which hath been one of those things which hath occasioned many troubles and calamities in these kingdoms, and being insisted into, will be so far from establishing the king's throne, that it will prove an idol of jealousy, to provoke unto wrath Him who is the King of kings, and Lord of lords. The king shall always esteem them best servants and most loyal subjects, who serve him, and seek his greatness in a line of subordination unto God [*viz.* the General Assembly and commission of the kirk], giving unto God the things that are God's, and unto Caesar the things that are Caesar's ; and resolveth not to love or countenance any who have so little conscience and piety as to follow his interest with a prejudice to the gospel and the kingdom of Jesus Christ ; which he looks not upon as a duty, but as flattering and driving of self-designs, under a pretence of maintaining the royal authority and greatness. Secondly, his majesty being convinced in conscience of the exceeding great sinfulness and unlawfulness of that treaty, and peace made with the bloody Irish rebels, who treacherously shed the blood of so many of his faithful and loyal subjects in Ireland, and of allowing unto them the liberty of the popish religion ; for the which, he doth from his heart desire to be deeply humbled before the Lord, and likewise considering how many breaches have been upon their part, doth desire the same to be void, and that his majesty is absolved therefrom, being truly sorry that he should have sought unto such unlawful help for restoring of him to the throne, and resolving for the time to come, rather to choose affliction than sin. Thirdly, as his majesty did, in his late treaty with his people in this kingdom, agree to recall and annul all commissions against any of his subjects, who did adhere to the covenants and monarchical government in any of his kingdoms ; so doth he now declare, by commissionating of some persons by sea against the people of England, he did not intend damage or injury to his oppressed and harmless subjects in that kingdom, who follow their trade of merchandize in their lawful callings ; but only the opposing and oppressing of those who had usurped the government, and not only bar him from his just right, but also exercise an arbi-

army, and displaced all the officers who were suspected of loyalty; in consequence 4000 loyal churchmen defiled out of

trary power over his people, in those things which concern their persons, con- sciences, and estates: and as since his coming into Scotland, he hath given no commission against any of his subjects in England or Ireland, so doth he hereby assure and declare, that he will give none to their prejudice or damage, and what- ever shall be the wrongs of these usurpers, that he will be so far from avenging these upon any who are free thereof, by interrupting or stopping the liberty of trade and merchandize, or otherwise, that he will seek their good, and to the utmost employ his royal power, that they may be protected and defended against the utmost violence of all men whatsoever. And albeit, his majesty desires to con- struct well of the intentions of these (in reference to his majesty) who have been active in counsel or arms against the covenant, yet being convinced that it doth conduce to the honour of God, the good of his cause, and his honour and happi- ness, and for the peace and safety of these kingdoms, that such be not employed in places of power and trust; he doth declare that he will not employ nor give commission to any such, until they have not only taken or renewed the covenant, but also have given sufficient evidences of their integrity, carriage, or affection to the work of reformation; and shall be declared capable of trust by the parlia- ment of either kingdom respective: and his majesty, upon the same grounds, doth hereby recal all commissions given to any such persons; conceiving all such persons will so much tender a good understanding betwixt him and his subjects, and the settling and confirming a firm peace in these kingdoms, that they will not grudge nor repine at his majesty's resolutions and proceedings therein, much less upon discontent, act any thing in a way to the raising of new troubles; especially since, upon their pious and good deportment, there is a regress left unto them in manner above expressed.

And as his majesty has given satisfaction to the just and necessary desires of the kirk and kingdom of Scotland, so doth he hereby assure and declare, that he is no less willing and desirous to give satisfaction to the just and necessary desires of his good subjects in England and Ireland: and in token thereof, if the houses of parliament in England, sitting in freedom, shall think fit to present unto him the propositions of peace, agreed upon by both kingdoms, he will not only accord to the same, and such alterations thereon meant, as the houses of parliament, in regard of the constitution of affairs, and the good of his majesty and his kingdoms shall judge necessary, but do what is futher necessary for prosecuting the ends of the Solemn League and Covenant; especially in those things which concern the reformation of the church of England, in doctrine, worship, discipline, and government. That not only the directory of worship, confession of faith, and catechism, but also the propositions and directory for church government, ac- corded upon by the synod of divines of Westminster, may be settled; and that the church of England may enjoy the full liberty and freedom of all assemblies, and power of kirk censures, and of all the ordinances of Jesus Christ, according to the rule of his own word, and that whatsoever is commanded by the God of heaven may be diligently done for the house of the God of heaven; and whatever heretofore hath been the suggestions of some to him, to render his majesty jealous of his parliament, and of the servants of God, yet as he hath declared, that in Scotland he will hearken to their counsel, and follow their advice in those things that concern that kingdom and kirk; so doth he declare his firm resolution to manage the government of the kingdom of England by the advice of his parlia- ment, consisting of a house of lords, and a house of commons there; and in those things that concern religion to prefer the counsels of the ministers of the gospel to all other counsels whatsoever. And that all the world may see how much he tenders the safety of his people, and how precious their blood is in his sight, and how desirous he is to recover his crown and government in England by peaceable means; as he doth esteem the service of those who first engaged in the covenant, and have since that time faithfully followed the ends thereof, to be duty to God

Leslie's quarters. Balfour, who was himself a covenanter, says the ministers in all places preached incessantly for this purg-

and loyalty to him ; so he is willing in regard of others, who have been involved in these late commotions in England, against religion and government, to pass an act of oblivion, excepting only some few in that nation, who have been chief obstructors of the work of reformation, and chief authors of the change of government, and of the murder of his royal father. Provided that those who are to have the benefit of this act, lay down arms, and return to the obedience of their lawful sovereign.

The committee of the estates of the kingdom, and General Assembly of the kirk of Scotland, having declared so fully in what concerns the sectaries and the present designs, resolutions, and actings of their army against the kingdom of Scotland ; and the said committee and Assembly having sufficiently laid open public danger and duty, both upon the right hand and upon the left ; it is not needful for his majesty to add any thing thereto ; except that in those things he doth commend and approve them ; and that he resolves to live and die with them and his loyal subjects, in prosecution of the ends of the covenant.

And whereas, that prevailing party in England, after all their strange usurpations, and insolent actings in that land, do not only keep his majesty from the government of that kingdom by force of arms ; but also have now invaded the kingdom of Scotland, who have deserved better things at their hands, and against whom they have no just quarrel ; his majesty doth therefore require and expect that all his good subjects in England who are, and resolve to be faithful to God and to their king according to the covenant, will lay hold upon such an opportunity, and use their utmost endeavours to promote the covenant, all the ends thereof, and to recover and re-establish the ancient government of the kingdom of England (under which in many generations it did flourish in peace, and plenty at home, and in reputation abroad), and privileges of the parliament and nation, and just liberty of the people : his majesty, desirous to assure himself that there doth remain in these so much confidence of their duty to religion, their king, and country ; and so many sparkles of the ancient English valour, which shined so eminently in their noble ancestors, as will put them on to bestir themselves for the breaking the yoke of these men's oppressions from off their necks : shall men of conscience and honour set religion, liberties, and government at so low a rate, as rather not to undergo any hazard before they be thus deprived of them ? will not all generous men count any death more tolerable than to live in servitude all their days ? and will not posterity blame those who dare attempt nothing for themselves, and for their children, in so good a cause, in such an exigent ? whereas if they gather themselves and take courage, putting on a resolution answerable to so noble and just an enterprise, they shall honour God, and gain themselves the reputation of pious men, worthy patriots, and loyal subjects, and be called the *repairers of the breach*, by the present and succeeding generations ; and they may certainly promise to themselves a blessing from God upon so just and honourable an undertaking for the Lord, and for his cause, for their own liberties, their native king and country, and the invaluable good and happiness of posterity. Whatever hath formerly been his majesty's guiltiness before God, and the bad success that those have had, who owned his affairs, whilst he stood in opposition to the work of God ; yet the state of the question being now altered, and his majesty having obtained mercy to be on God's side, and to prefer God's interest before his own, he hopes that the Lord will be gracious, and countenance his own cause in the hands of weak and sinful instruments, against all enemies whatsoever.

This is all that can be said by his majesty at present to those in England and Ireland at such a distance ; and as they shall acquit themselves at this time, in the active discharge of their necessary duties, so shall they be accepted before God, endeared to his majesty, and their names had in remembrance throughout

ing of the army¹. The northern loyalists offered to raise an army of episcopalians, that if the *saints* were beaten they would come to the rescue; but if the saints were victorious they would, if required, lay down their arms, and their chiefs offered their wives and daughters as hostages for the fulfilment of their pledges. But the ministers said it was better to be beaten by Cromwell than to admit episcopalians into power, and their offer was rejected; "the prevailing party, to colour their malice and fear of them (should they get any power), by their *instruments, the ministers*, declaring against them, and terming the sin of *malignancy* a sin against the Holy Ghost; and that it was better to fight their enemies with a handful of *elect and godly* people, than with mighty arms loaden with that sin which, like Achan's wedge, would surely be the cause of their destruction²."

When Cromwell received the West Kirk declaration from Leslie, he returned a verbal answer, that "he would not juggle with them; he came for their king, and if they would deliver him up, he would treat, otherwise not:" but many, adds sir Edward, "believe they [the covenanters and Cromwell] were *too much of an opinion* to have any difference during their negotiations³." He also says that secret intercourse was held betwixt the adverse camps, and that the Scots committee had no mind to conquer Cromwell, lest the malignants or loyalists might mount into power. The commission was not yet satisfied of his majesty's sincerity, although he had signed both their covenant and their declaration; they now resolved to make him do *public penance* for his own sins and for those of his father's house. But Cromwell's victory at Dunbar saved him from that humiliation; and instead they sent him a paper to sign, of which what follows is an abridgement. . . . That God may be reconciled to him, and that he may give evidence of his zeal, loathing of his former ways, and of his sincerity in owning the *cause* of God, that the king and his house and the whole land keep a day of solemn public humiliation for the sins of the royal family and of the king. 1. The great opposition made to the work and people of God by the king's ancestors. 2. King James's defection from the national covenant, and undermining the discipline, government, and worship of the kirk of Scotland, taking away the liberty of Assemblies, and bringing in the prelates and the popish ceremonies of

the world. Given at our court at Dunfermline, the 16th of August, 1650, and in the second year of our reign.

¹ *Annals*, iv, p. 89.

² Walker's *Journal of Affairs*, 164.

³ *Ibid.* 169.

geniculation. 3. King Charles's exercising an arbitrary power both in the kirk and state. 4. His obtruding the service-book and canons. 5. His opposing the Solemn League and Covenant, and shedding much blood. 6. His not casting out the prelates and the popish ceremonies. 7. His promoting in the church of England many popish ceremonies. 8. His popish marriage. 9. The queen's idolatry. 10. Her opposition to the work of God. 11. The king [Charles II.] being involved in the opposition to the work of God, and giving commissions to malignants against the same. 12. His treaty with the Irish rebels, and his allowing them liberty of the popish religion¹”

Now that the king was in a manner their prisoner, the commission published a paper, which they entitled “The Causes of the Lord's Wrath against Scotland,” which is ascribed to the pen of Guthrie, in which they assigned, as some of the causes, “the authorising of commissioners to close a treaty with the king, for the investing him with the government, upon his subscribing such demands as were sent to him;” and in answer to the objection, that he had done all that was demanded of him by the parliament of this kingdom and the commission of the General Assembly, they replied, “that these demands were deficient that a paper and verbal security” was not sufficient. That “to settle with him upon any such paper securities, and accordingly to entrust him, was but to mock God, and to deceive the world, and to betray and destroy ourselves.” They went a step beyond the pope's infallibility, and pretended to know the king's heart, and gave as a reason that it was *not sound*, that when “he did condescend to subscribe the demands and take the covenant, it was with a reserve of a declaration to be printed therewith, which he did not pass from, until the commissioners of the church did refuse to admit thereof.” They then attacked the parliament for their officious loyalty, as another of the causes of God's wrath, and said “that the news of the late king's death being brought to Edinburgh on the Lord's day at night, the parliament did the next day, before twelve of the clock, proclaim this king with all public solemnity, without setting any time apart to seek the Lord for counsel and direction therein. Albeit they durst not altogether deny duty to be in making application to the king; yet did the sense of the Lord's controversy with him and his house, together with his walking in his former way, lie heavy

¹ Walker's Journal of Affairs, 178, 179

on their spirits, and made them rather *fear a curse*, than expect a blessing."

Here is indeed the spirit of delusion, to fear a curse for the performance of their duty! Is there not much more cause to fear a curse for the neglect of positive duties, and that their descendants are now labouring under an anathema for the enormous wickedness of these men, of which there have been no public signs of repentance?

The two republican powers, the commission and the committee, had other projects under their consideration for the king's humiliation, but which were spoiled by Cromwell. They intended to have fined heavily all the engagers and malignants, to have banished the English noblemen from the court, and to make his majesty acknowledge that he sought not the restitution of his rights, but for the sole advancement of reformation in *subordination* to the kingdom of Christ. Cromwell's army might easily have been beaten on their retreat, but the ministers would not permit Leslie to attack them at advantage, because it was Sunday; and Cromwell was so hemmed up at Dunbar that his destruction was inevitable. Some of the committee gave Cromwell intelligence and the opportunity to defeat their own army, and Balfour asserts that he "had continual intelligence of our most secret deliberations and counsels. The ministers that attended the camp compelled Leslie to attack Cromwell, and made the strongest assurances that it was *revealed to them from heaven* that the saints would undoubtedly have the victory over the perjured sectaries; he therefore abandoned his strong position and advanced, but rain falling heavily, his men were allowed to take shelter and refreshment, the cavalry were unsaddled, and feeding in perfect security, as they imagined. In this state, Cromwell attacked and routed the saints with great slaughter, and took many prisoners, with their colours, artillery, and ammunition, on the 3d of September. That evening the committee of estates and the committee of the kirk fled to Stirling, and Argyle acquainted his majesty with the defeat which his army had sustained, who assured them he would continue to be governed by the advice of the committee. Nevertheless they sent and secured the castle of Blair, to curb the Atholmen, who would have risen for the king, as the north was generally disposed to have done; and they very strongly urged his majesty "to purge" his household of the few malignants who still were left in it, when they intended to have placed more of their own creatures about his person. The army of the saints never rallied,

and declared that they would never serve again, having been so shamefully betrayed, and then deserted by their superior officers; a small remnant did, however, rendezvous at Stirling, and Dundas, the commandant of the castle, threatened to surrender it to Cromwell if any engagers or malignants were taken into the army. The godly ministers who had proved false prophets, ascribed the loss of the battle of Dunbar to the presence of malignants and to the sins of the king's house; whereas Cromwell asserted that the Lord had delivered these "sanctified creatures" into his hand, many of whom "hardly ever saw or heard of any sword but that of the spirit¹."

After his victory at Dunbar, Cromwell took possession of Leith and Edinburgh. The castle was still held for the king, to which the city ministers immediately fled for protection; but Cromwell invited them to return to their charges, and they should not be disturbed in their preaching. They felt some jealousy of his intentions, and as they would themselves give no toleration to others, they could not conceive that Cromwell could be guilty of so great a crime; and therefore they replied, "that they found nothing expressed from whence they might infer security of their persons, and therefore they resolved to reserve themselves for better times, and wait upon Him who had hidden His face from the *sons of Jacob*." Cromwell, who understood and appreciated this cant at its true value, answered, that "if their master's service, as they pretend, was their principal concern, the fancy of suffering would not have made them so excessively cautious. The [puritan] ministers of England are countenanced and supported; they have liberty to preach the gospel, though not to *reil* at discretion, nor under any pretended privilege of character to *top* the civil authority, and *sink it towards insignificancy*. When ministers pretend to a glorious reformation, and lay the *foundation* thereof in the getting to themselves *power*, and can make worldly mixtures to accomplish the same, such as their *late agreement* with their king, and hope by him to carry on their designs, they may know that the Sion promised and hoped for will not be built with *such untempered mortar*." And in a second letter he truly said, "we look upon the ministers as helpers of—*not lords over*—the faith of God's people. . . . Are ye troubled that Christ is preached? Does it scandalize the reformed kirks, and Scotland in particular? Is it against the covenant? Away with the covenant, if it be so. I thought the covenant

¹ Sir Edward Walker's Journal of Affairs, 177-183.—Balfour's Annals, iv. 97.

and these men would have been willing that any should speak good of the name of Christ ; if not, it is no covenant of God's approving, nor the kirk you mention so much, the spouse of Christ¹."

THE COMMISSION MET on the 12th September at Stirling, and issued an order for a solemn public humiliation, upon the defeat of the army, to be observed throughout the kingdom. In their address they ascribe the rout of Dunbar to the sins of the king and his ancestors ; and that as the integrity of the Lord's people " was formerly tried by the prevalence of malignancy, so now their stability was to be tested by the domination of sectaries. But the godly were cautioned not to imagine that all danger from the malignants was removed, " seeing that there is a *great many* such in the land, who still retain their former principles ;" and to " take heed that, under a pretence of doing for the king and kingdom, they get not power and strength into their hands, for advancing and promoting their old *malignant* designs." They issued a document, in which they enumerated the " causes" for this humiliation, containing thirteen articles ; some of which were the continued ignorance and profanity of the land ; the manifest provocations of the king's house ; bringing home malignants with the king ; not purging the king's house from malignant and profane men ; for leaving a most malignant and profane guard of horse about the king, and suffering them to fight in our army ; not having purged the army and judicatories of malignant and scandalous persons ; trusting to a numerous army ; the looseness, insolency, and oppression, of many in the army ; the great impatience of spirit in many, which made them limit the Lord, and to complain and weary of his delaying of a deliverance ; want of subordination to religion ; the carnal and self-seeking of many in our judicatories and armies, who seek their own preferment more than the advancement of religion ; the not putting difference betwixt those who fear God, and those who do not ; the mixture of carnal affections and fleshly wisdom, which grieves the spirit of God, and takes away much of the beauty of the Lord's image from our judicatories².

Many of the presbyterian ministers refused to read the above reasons, " which was like to grow to a very great schism. Some did not stick to say, that *five or six men* were too bold to give out reasons to a whole church without a more frequent meeting of the General Assembly." The synod of Fife objected to the proceedings of the leaders in the commission, and

¹ Cited in Collier's History, viii. 379-382.

² Halibur's Annals, iv. 98-104.

maintained that such of the Engagers as were now undergoing penance, should not only be received to the participation of the sacraments and to give satisfaction to the kirk, but be admitted to public employments in the common defence of their native country. But this reasonable proposition was peremptorily denied by the commission of assembly and committee of estates, convened at Stirling, on the 25th September¹.

In consequence of the vehement and repeated remonstrances of the commission, the committee of estates "purged" the king's household "of all profane, scandalous, malignant, and disaffected persons," and twenty-two of the loyal and devoted friends of the king were ordered to quit the court within twenty-four hours, and the kingdom within twenty days. This purgation was committed to the charge of sir James Balfour, the lyon, who immediately waited on the king at Perth, and shewed him the order. The king was indignant at this insult, and earnestly entreated Balfour to spare nine of them till he had seen the chancellor; but Loudon was inflexible, and would suffer none of them to remain. On the 4th October the king received secret intimation that the faction that held him in bondage had engaged to deliver him up to Cromwell, and that some of his best friends were to have been hanged. Under pretence of going to hawk, he took Henry Seymour, Messrs. Cole, Rodes, and Winram, and, without any change of linen or other clothes but those he wore, rode carelessly through Perth, and afterwards with great speed to Dudhope, thence to Aughterhouse and Cortuquhay, the seat of the earl of Airly, and, after a little refreshment, he proceeded up a glen to Clova, having ridden about forty-two miles from Perth. Here he entered a wretched hovel, and threw himself down to rest "in a nasty room on an old bolster, above a mat of seggs and rushes, over-wearied and very fearful." He was pursued and found, in this rushy bed, fast asleep next morning, by Robert Montgomery of Scotsraig, and sir Alexander Hope, who persuaded his majesty to return with them to Perth, assuring him that his fears of being delivered to Cromwell were visionary. They conducted him to Huntly castle in the Carse of Gowrie, and on Sunday afternoon to Perth. This little trip, however, had the effect of causing his jailors to shew him more respect; and he was, on the 10th, admitted to sit in his proper place in council; and which is mentioned both by Balfour and Walker as being the first time that ever he had been permitted to sit in the committee of the estates².

¹ Balfour's Annals, iv. 108.

² Balfour's Annals, iv. 113-14. — Walker's Journal of Affairs, 194-202. — Baillie's Letters, iv. 117.

Sir Edward Walker, who was one of the malignants of the king's household that had been recently cashiered, says, that the greater part of the nobility and gentry, and the commonalty, were really and truly loyal, and were anxious to rescue the king from his disgraceful thralldom; and, accordingly, many small bodies were raised by different noblemen. Baillie says, "A strong party in the north, whom we have excluded from our army for the late engaging, did put themselves in arms without public order. It cost us some time before we could quiet them."—It was proposed by the loyalists to have placed general Middleton, who commanded a small division of the army, at the head of all the loyal forces which could be collected, for the purpose of rescuing the king, and of opposing Cromwell; but which was never accomplished. Middleton had now committed the unpardonable sin of misprision of malignancy; and, therefore, the commission of the kirk summarily excommunicated him on the motion of James Guthrie, who carried it by the votes of the lay-elders; and, although the king and the committee of estates entreated for delay, yet Guthrie pronounced the sentence, and read it from his pulpit in Stirling on the Sunday following, in contempt of their request¹.—"That danger was scarce over, when another party in the west, whom we have permitted to rise, and from whom we expected ready and happy service against the enemy, fell in ways of their own, to our great and long disturbance²;" but which Cromwell defeated near Hamilton. This defeat brought to an issue the question of admitting the king's loyal subjects, or malignants as the presbyterians called them, into the army, as they now began to find that the military saints were not sufficiently numerous for the defence of the kingdom. The king himself wrote to the moderator of the commission to call a *pro re nata* meeting to adjust this tender point; but the parliament called the commission together to determine how far it was *lawful*, in this case of extreme necessity, to employ those who were excluded from the service for the political sin of malignancy, which the ministers declared to be a sin against the Holy Ghost. The commission met at Perth, and the committee of parliament put the following questions to them:—"What persons are to be admitted to rise in arms, and to join with the forces of the kingdom, and in what capacity, for defence thereof against the armies of the sectaries, who, contrary to the

¹ Baillie's Letters, iv. 118.—Wodrow's Analecta MSS. vol. i. 164.: cited in the author's Life and Times of Archbishop Sharp, p. 119.

² Baillie's Letters, iii. 106.

solemn league and covenant and treaties, have most unjustly invaded and are destroying the kingdom?"

On the 14th December the commission delivered the following answer:—"In this case, of so great and evident necessity, we cannot be against the raising of all fencible persons in the land, and permitting them to fight against this enemy for defence of the kingdom; excepting such as are excommunicated, forfeited, notoriously profane or flagitious, or such as have been from the beginning, or continue still, and are at this time, obstinate and professed enemies and opposers of the covenant and cause of God. And for the capacity of acting, that the estates of Parliament ought to have, as we hope they will have, special care that in this so general a concurrence of all the people of the kingdom, none be put in such trust and power as may be prejudicial to *the cause* of God; and that such officers as are of known integrity and affection to *the cause*, and particularly such as have suffered in our former armies, may be taken special notice of¹."

These answers were called RESOLUTIONS, and to which all the episcopal clergy adhered; and those ministers who had agreed to them received afterwards the name of RESOLUTIONERS. When these rational resolutions were returned to Parliament, some of the loyalists were appointed to commands in the army, many of whom had served under Montrose and in the duke's engagement. These proceedings, however, gave great offence to the "sincerer sort," the more godly among the ministers, and produced a division among the covenanters which proved the ruin of the cause. Guthrie, and other ministers of his ultra covenanting principles, preached against the "public resolutions, as involving the land in a conjunction with the malignant party²." Both the factions carried their animosity so far as "to suspend and depose one another, according as parties had the upper hand in synods and presbyteries." The godly brethren who opposed these resolutions were called REMONSTRATORS, or PROTESTORS, and who presented a remonstrance to Parliament, on the 30th November, and which Baillie says was carried by "two or three bold men,"—and "puts upon our church the foulest blot that ever yet it got³." "Seven or eight from the commission of the kirk presented to the king and Parliament a remonstrance and petition, containing some admonitions to the nobility respecting their by-past miscarriages, as also against employing malignants, contrary to the public resolu-

¹ Wedrow's Introduction, 3.

² Willison's Testimony, p. 11.

³ Letters, iv. 108.

tions of church and state ; as also against the act of indemnity, and not naming them rebels and punishing them. That all malignants and ill affected persons be removed from the court. That the king's house may with speed be effectually purged. That covetousness, avarice, pride, selfishness, compliance with enemies, be confessed and repented of¹. But previous to this, the officers and ministers of the forces in the west had addressed a most intemperate remonstrance to the Parliament, in which they condemn their whole proceedings with the king, but especially for bringing with him "a wicked company of Scottish and English malignants." They again rake up all the sins of the king and of his ancestors, and, in addition, his desire of a conjunction between the godly and the malignant parties ; but they even accuse the leading men in the government themselves, of peculation of the public funds, of advancing their own friends to place, and of taking bribes². "Should we again break his commandments and covenant, by joining once more with people of this abomination, and take into our bosoms these serpents which had formerly stung us almost unto death, this, as it would argue great madness and folly on our part, so no doubt, if it be not avoided, will provoke the Lord against us to consume us, till there be no remnant left nor escaping in the land ? . . . We cannot find clearness in our judgments nor satisfaction to our consciences, to be concurring and assisting to our places and stations, for calling forth the body of the people in that way which is agreed unto and condescended upon, by the present public resolutions and proceedings of the judicatories, the same being such as, to our understanding, is comprehensive of the most part of the disaffected and malignant party of the land, and of such as are scandalous in their conversation, and walk contrary to the gospel, and of such as are under church censures, and were in the late rebellion ; nay, of the most part, of men of blood who followed James Graham [Montrose], and shed so much of the blood of the Lord's people throughout the land." This was called the Western Remonstrance, and Baillie says, "it is a very insolent and scandalous piece, and exceedingly injurious to the king and state". "If," says he, "you connive with them, and permit two or three bold men to carry the commission of the church to allow any such writ, I think you consent to put upon our church the *foulest blot* that ever yet it got. This will be a sore trial to you : if either you side with, or be a conniver at, the ways of the remonstrators³."

¹ Balfour's Annals, iv. 189, 90.

² Ibid. iv. 141-160.

³ Letters, iii. 108, 109.

THE CHANCELLOR, by desire of the parliament, wrote to the moderator to assemble the commission and to meet at Perth, to advise the house respecting the admission to offices of the malignants, who had been excluded by the act of classes. The moderator answered that it did not suit the convenience of the commission to meet before the end of November; but the chancellor returned a very sharp letter, informing him that if the commission did not meet as desired, the parliament would act without them. These "two or three bold men" therefore took the hint, and met, and, in obedience to orders, reported that "having taken into their consideration the said remonstrance, doth find and acknowledge therein to be contained many sad truths in relation to the sins charged upon the king, his family, and the public judicatories;" that although it was "apt to breed division in the kirk and kingdom," as they had already found by experience, yet "we do resolve to forbear a more particular examination of the said remonstrance, expecting that at the next diet of this commission, these worthy gentlemen, officers, and brethren, will give such a declaration and explanation of their intentions and meaning as may satisfy both kirk and state, without any further inquiry or delay thereupon."¹

1651.—On the 2d of January the committee of estates went through the farce of crowning the king, after they had usurped all real power and made him a state prisoner. The king was again compelled to swear the covenant, the league and covenant, and the coronation oath. Argyle, who had long wielded all the power of the crown, set it upon his head; and Loudon, the chancellor, who had been a rebel and traitor from the commencement of the preceding reign, and had deceived and betrayed Charles's father, set him on the throne. Mr. Douglass preached on the occasion, and "with great earnestness pressed on the king sincerity and constancy in the covenant, delating at length king James's breach of the covenant from Nehem. v. 13, pursued yet against the family; casting the king out of his lap, and imprecating many plagues on him if he do not sincerely keep the oaths now taken²."

On the 6th of January, the presbytery of Stirling sent a letter to the commission entirely disclaiming the king's interest, and violently opposing the admission of those men, whom they called malignants, to the king's councils or army. On the 7th the commission presented to parliament "a warning to be published in all the churches of the land, to encourage all sorts of people against that perfidious army of sectaries that have

¹ Balfour's Annals, iv. 176.

² Baillie's Letters, iv. 128.

invaded this kingdom, desiring and requiring all not only not to join, act, or comply, with the enemy, but not to speak any good or favourable speeches of them, but exhorting all faithful and honest men to obey the lawful and just commands of the civil magistrate, for defence of our religion, king, and native country, against the enemies of them all, the sectaries, who have destroyed what was either pious, just, or honest, in their own country; and intend no less in this, if the Lord prevent it not, by animating all honest and godly people against them, *excepting* such as are excommunicate, profane, flagitious, or constant enemies of *the Cause* of God; read, voted, and passed." On the 12th of January, Middleton was relaxed from his excommunication, and did penance in sackcloth in the parish church of Dundee; and colonel Strachan was "excommunicated and delivered to the devil in the church of Perth the same day ¹.

GUTHRIE, one of the ministers of Stirling, had made so much opposition to the Resolutions, that he and his colleague, Bennet, were cited to appear before the committee of estates at Perth, and ordered to remain warded in that town till his majesty's return from a progress to Aberdeen. This Guthrie was "a prime enemy to monarchy, a chief plotter of all the western remonstrance, division, and mischief, and a main preacher for the sectaries ²." On the 22d of February, they presented a protestation to the committee, in which they revive the old pretensions of their party, which had given king James so much trouble. "Whereas," they said, "the king's majesty and your lordships have been pleased upon a narrative relating to our doctrine and ministerial duties, to desire and require us to repair to this place against the 19th day of this instant; that after hearing of ourselves, such course may be taken as shall be found most necessary for the safety of that place wherein we serve in the ministry. Therefore, conceiving the judicatories of the church to be the only proper judges of our doctrine, and our carriage in those things that concern our ministerial calling; and we do for the respect we have to his majesty and your lordships' authority, compear at this time, being desirous to hear what is to be said unto us, and ready to answer thereunto; so we humbly protest, that our compearance is with preservation of the liberties and privileges of the church of Scotland, and of the ministers and servants of Jesus Christ, in these things that do relate to their doctrine and the duties of their ministerial function. And that though we be most willing

¹ Balfour's Annals, iv. 236-240.

² Ibid. iv. 248.

commission might afterwards censure and raise a clamour against the repeal, and, therefore, on the 23d of April, the committee wrote again, demanding a peremptory answer. Being so urged the commission then replied—" . . . As for the Solemn League and Covenant, the Solemn Acknowledgment and Engagement, and former declarations emitted by this church (which are set down as grounds in the narrative of the act of classes), we do find they do not particularly determine any definite measure of time, of excluding persons from places of trust for by-past offences, but only bind and oblige accordingly to punish offenders, as the degree of their offences shall require or deserve, or the supreme judicatories of the kingdom, or others having power from them for that effect, shall judge convenient, to purge all judicatories and places of power and trust, and to endeavour that they may consist of, and be filled with, such men as are of known good affection to *the Cause* of God, and of a blameless christian conversation which is a moral duty commanded in the word of God, and of perpetual obligation, so that nothing upon the account of those grounds doth hinder, but that persons formerly debarred from places of power and trust for their offences, may be admitted to be members of the committee of estates, and the censures inflicted upon them by the act of classes may be taken off and rescinded without sin, by the parliament, *in whose power* it is to lengthen or shorten the time of those censures, as they shall think just and necessary." Inasmuch as these offences were of a religious nature, this recognition of the power of parliament is a regular homologation, as they call it, of erastianism; but let the kirk reconcile that with their denial of the supremacy of the crown. However, they concluded their permission with their usual condition, which to many operated as an effectual barrier,—“provided they be men that have *satisfied the kirk* for their offences, have renewed and taken the covenant, and be qualified for such places, according to the qualifications required in the word of God, and expressed in the Solemn Acknowledgment and Engagement¹.”

On receiving this document the parliament repealed the most unjust, arbitrary, and disloyal act of classes, by which, those who were excluded from their seats in parliament were restored, and those who had been dismissed or rendered incapable of holding public offices were declared to be capable of

¹ Wodrow's Introduction, vol. i. p. 3; Glasgow Edition, 1838.—Cruikshank's Hist. State and Sufferings of the Church of Scotland, 1749, vol. i. 51.—Balfour's Annals, iv. 301-306.

serving his majesty in any capacity ; but not, however, as lord Clarendon says, till they were obliged "to stand publicly on the stool of repentance, in acknowledgment of their former transgressions." Guthrie and Gillespie, with their party, the REMONSTRATORS, were mightily offended at their brethren in the commission, and at the parliament ; and they howled out their complaints and maledictions on both parties from their pulpits, which at that time were the usual places for advertisements and public information. They maintained, that to take in men of known enmity to *the Cause*, was in some sort to betray it, because it was giving them *the power* to play the traitor ; and to admit them to a profession of repentance was a profanation and a mocking of God, as their compliance was a sham to enable them to get into commands, and therefore a blessing could not be expected on an army so constituted¹."

BEFORE THE COMMISSION rose they drew up a short exhortation and warning to the ministers and professors, dated Perth, 30th of March, in which, after much lamentation for the sins of the land, they say, "Let us wait upon Him who *hideth* himself from the house of Jacob ; let us cry unto the Lord of Hosts, who hath delivered us, and doth deliver us [from prelacy], and in him let us trust that he will yet deliver us [from the sectaries] ; though for a small moment he hath *forsaken* us, yet with great mercies he will gather us." They likewise say—"If you tender *true* religion, you see how the sectaries shew themselves plain enemies thereto, and maintain that *impious monster of toleration*, though religion were not the question. Let loyalty to your king, the only king in the world who is in a religious *covenant with God and his people*, animate you against those who are his enemies, because he is a king, and because *covenanted*." The remonstrators appear to have been in a minority in this meeting, for the "commission inhibited and discharged all ministers to preach, and all ministers and professors to detract, speak, or write, against the late public Resolutions²."

IN JULY, THE GENERAL ASSEMBLY met at St. Andrews, when Guthrie and his party protested against the late resolutions, and against the Assembly itself, as not being a lawful and free meeting. The Assembly cited the protesting ministers, deposed three of them, and suspended one ; and Baillie affirms that "Mr. James Guthrie, and Mr. Patrick Gillespie, are going on with their work to destroy our state and rend our kirk." Guthrie desired the prayers of Gillespie and his other pro-

¹ Burnet's Own Times.

² Baillie's Annals, iv. 318-323.

testing brethren in Glasgow, when they "cast their doctrine on the sufferings of faithful ministers, and the great defection of church and state:" the Sunday after this "alarm" was received was spent in fasting by that faction. Their fasting was somewhat like the popish system of eating a full meal of fish, which is no fasting at all; so this fast meant only that "sundry of our best people spent a day in fasting and prayer in Mr. Patrick [Gillespie's] house, and other places . . . that our writing [to the commission] was pressed only to be a leading case to other presbyteries to give some encouragement and countenance to Mr. James Guthrie in *his contradictions* to church and state, which we judged very sinful, scandalous, and dangerous . . . we knew Mr. Patrick by the multitude of *his yeomen elders* could carry what he pleased . . . but if the commission will not in time look to some men's ways and restlessness [Gillespie and Guthrie], the schism will get such strength that the end may be doleful¹."

IT DOES NOT appear on what grounds the remonstrator brethren protested against the legality and freedom of this Assembly; but it did not prevent its sitting for a few days, till the passage of the Forth by Cromwell alarmed the brethren for their personal safety. In consequence the Assembly adjourned to Dundee, placing the river Tay betwixt them and the "sectaries." At this town they only sat three days, having received intelligence that Cromwell was on full march for Perth. They brought their business therefore to an abrupt conclusion, and the members dispersed, crying, Every man to his tents, O Israel! It is supposed that no acts of any importance had been passed, as none were ever printed or published, and their time was chiefly occupied by the wranglings and contentions of the remonstrators². Hetherington, the would-be Wodrow says, on the authority of Lamont's Diary, that the citing of the remonstrators rendered them "incapable of being members, and was a virtual prejudging of the question between them and their brethren, and completely *vitiating* the character of the Assembly as a deliberative body. Against this course of procedure, the protestors again protested, denying the freedom and lawfulness of the Assembly itself. For this, James Guthrie, Patrick Gillespie, and James Simpson, were deposed; but protesting against this sentence, *they continued to discharge their ministerial functions*."³ It is to be remarked, that all presbyterian

¹ Letters, iv. 141-142.

² Acts of the General Assembly of the Church of Scotland, from 1638-1842.

³ History of the Church of Scotland, 119.

authors range themselves on the side of the remonstrators, being, as in truth they were, the genuine presbyterians and sons of the covenant. The Resolutioners enjoy none of their sympathies; for, having politically united with the episcopalians in breaking down the act of classes, they afterwards merged entirely into that body. And Willison says, "it is *certain* that the greatest number of the strict and zealous ministers were on the Protestors' side, who afterwards made a noble stand against prelacy¹."

HIS MAJESTY went northwards to Aberdeen, where he arrived on Tuesday, the 25th of February, accompanied by several noblemen. It was proposed to his majesty to treat with Cromwell upon the basis of that usurper reigning over England and Ireland, and that part of Scotland south of the Forth, which he held by military possession; and for Charles to content himself with that part which lies on the left bank of that river! The two Cants, father and son, assured general David Leslie in that city, that the presbyterians "could not in conscience assist the king to recover his crown of England; for they thought one kingdom might serve him very well, and one crown was enough for any one man; one kingdom being sufficient for one to rule and govern²." At this loyal city the royal standard was set up, and David Leslie was appointed lieutenant-general; a considerable army was soon collected, which marched southward. Cromwell crossed the Forth on the 17th of July, below Queensferry, and threw up some field works on the hill of Inverkeithing; and on the 20th defeated lieutenant-general Holborne, "who, by all honest men, was thought to have played the traitor; he was tried and acquitted, but he was obliged to "quit his charge in the army, for the whole army exclaimed against him." On the 2d of August, Cromwell took possession of Perth; and on the 28th he sent out a detachment under colonel Aldriche, who surprised and captured the committee of estates and the commission of the kirk, who were then sitting at Alyth, a small village in Forfarshire. He shipped the whole party at Broughty in the Tay, first to Tyne-mouth Castle, and afterwards removed them to London, where he detained them prisoners of war. Among the ministers who were taken prisoners at this time and place, was MR. JAMES SHARP, MINISTER OF CRAIL, whose name we shall have frequent occasion to mention afterwards in the course of this history³.

CROMWELL PLACED his army in the king's rear, and it is pro-

¹ Fair and Impartial Testimony, p. 12.

² Balfour's Annals, iv. 161.

³ Ibid. iv. 314.

bable would have attacked and dispersed it; but the king broke up in haste, and entered England by Carlisle, which was called "the start," where he was proclaimed. He was entirely disappointed of assistance, as the Rump had so much influence as to raise the militia in their own favour. Cromwell pursued the royal forces, and came up with them at Worcester, where, with a smaller but better disciplined force, he totally routed the raw, undisciplined, and ill-armed army under the king's command, on the 3d of September. Three thousand of the Scots were slain, and about seven thousand taken prisoners; among the latter were the duke of Hamilton, who died next day of his wounds, the earls of Rothes and Lauderdale, and the generals Middleton and Massie. The king himself escaped by the good providence of God as if by a miracle. He wandered about in great distress for nearly two months; but escaped from Brighton on the 22d of October, and arrived in France in safety.

THIS EXPEDITION might have had another issue had it not been for the impertinent interference of the "presbytery of the army," as the ministers attending it were styled; who observed that their "covenanted king's" love for that ill-omened document, and consequently his subjection to them, became the feebler the farther south he advanced. They remarked with alarm that the air of Cumberland excited pleasing smiles on the covenanted king's face; yea, that as he advanced he ventured even to laugh; which atrocity, at least shewed his desire to be emancipated from that ferocious demureness and hypocrisy, those grim shadows of the valley of social death, which the covenant and presbyterian supremacy had imposed. Upon the discovery of this unpardonable sin, they took upon themselves, without acquainting the king or any one else, to draw up a declaration or manifesto, and which they sent to general Massie, who commanded the vanguard, with instructions to publish it in the king's name. This instrument set forth "the king's and the whole army's zeal for the covenant, and their resolution to prosecute the ends of it." They likewise instructed him not to admit any recruits into his ranks except such as would subscribe the covenant and undertake all its obligations. The king countermanded this mischievous order as soon as he heard of it; but Massie had been prompt in his obedience, and the disgust which this proclamation naturally produced, held back many officers and men who would otherwise have joined the royal standard ¹.

¹ Collier's Ecclesiastical History, viii. 386.

pragmatical conceits, as if they had been delivering the direct messages of heaven. Mr. Baillie candidly admits that the conduct of Guthrie and Gillespie, the leaders among the rabid party of the presbyterians, called Remonstrators or Protestors, was calculated "*to destroy our state and rend our kirk. . . .*" The most of the brethren of the west are fallen off [from] them, and more daily will, for *their pride and schism* will appear daily more and more intolerable: their only confidence is in Cromwell's victory, which God arrest¹." Can that be called patriotism, when the success of a foreign invader was considered the *confidence* of a religio-political party?

IT IS MATTER of historical notoriety that Charles the Second was, in his latter years, a most immoral man, and left behind him a very numerous illegitimate progeny; a fact which it would be a work of supererogation to essay the proof. But at the time now under review, there was not the slightest breath of calumny against his moral character, even at a time when his majesty's besetting sin was most rampant in his northern kingdom. There never was a meeting of the General Assembly, but the chief topic of complaint was of the breach of the seventh commandment, in all its worst and most odious senses, and in all classes; so that Charles had not to go far to find the gratification of his passions; but in all the histories, and private gossip, as it is detailed in the contemporary authors, there is not a word said against his moral character, although the accusation is never-ceasing of his breaches of the covenant. One of their charges against him was, that he communicated according to the rites of the church of England, and used the Book of Common Prayer; moreover, that he defended his conduct as lawful and right, giving as a precedent his father's constant practice, and his own fixed determination to continue in so good and laudable a course. Yet such was their disgusting hypocrisy, their severity of discipline, and rudeness in constantly reminding him of the sins of himself and of his ancestors, which yet only consisted in their opposition to the presbyterian system—the effects of which they had felt in all its unmitigated atrocity, the iron had entered into their souls—that he naturally contracted a disgust and contempt for a religion of so much hypocrisy, malignity, and uncharitableness. Baillie makes frequent mention of the king's good disposition and correct deportment, and just before the march to Worcester, he says, "*Alas! that so good a king should have come among us, to be destroyed by our own hands, most by traitors and dividers*"²." And bishop

¹ Letters, iii. 140.

² Ibid. iii. 145.

Burnet has given a description of the disgusting treatment which the king met with from the fanatical preachers, and says he was a witness to it—"The king wrought himself into as grave a deportment as he could: he heard many prayers and sermons, some of great length. I remember one fast day there were six sermons preached without intermission. I was there myself, and not a little weary of so tedious a service. The king was not allowed so much as to walk abroad on Sundays: and if at any time there had been any gaiety, such as dancing or playing at cards, *he was severely reprov'd for it*. This was managed with *so much rigour* and so little discretion, that it contributed not a little to beget in him *an aversion to all sort of strictness in religion*¹." He contracted an invincible opinion, and which he never changed, that "*presbytery was not a religion fit for a gentleman*." With this disgust rankling in his mind, by the rebellious and schismatical divisions of the presbyterian body, and by the remembrance of the tyranny which they had exercised over him, Charles was driven to seek shelter among papists in France, who immediately set all their proselytising energies and zeal to work to seduce him from the Old Paths in which he had been educated and had hitherto walked. Presbyterian hypocrisy and popish profligacy completely disgusted him with religion, and he became the prey of abandoned women, and at last died in the popish profession. We therefore owe to presbytery the destruction and the extinction of the most ancient and the most illustrious royal house in Europe.

¹ Own Times, i. 99.

CHAPTER XXV.

CROMWELL HEAD OF THE KIRK.

PRESBYTERIES, SOLEMN LEAGUE AND COVENANT, AND THE GRAND
REBELLION.

1651.—Dundee captured—the defenders put to the sword.—Argyle corresponds with Monk.—English laws and judges imposed.—The commission of the kirk alarmed.—A meeting at Edinburgh dissolved.—A provincial synod at Glasgow.—A warning.—A schism.—Conduct of the Remonstrators.—1652.—Cromwell governs the kirk.—Mr. Irvine, of Drum.—Meeting of the Remonstrators.—Mercurius Scoticus' account of the Remonstrators.—The Regalia—sent to Dunnotter.—Mrs. Grainger—carries off the “honours.”—Rev. James Grainger's receipt for them.—Dunnotter taken.—Cromwell makes a visitation of the universities.—An Assembly—transactions.—A testimony.—Three acts.—Synod of Fife protests against the public Resolutions.—Synod of Perth—dispersed.—Cant's proceedings.—The covenant.—Resolutioners suffer.—Remonstrators' tyranny.—1653.—Gillespie made principal of Glasgow College.—An Assembly—interrupted—dissolved by colonel Cotterill.—Reflections.—The golden age.—Cromwell head of the kirk.

1651.—THE KING's misfortunes were not confined to England; for Monk carried all before him in Scotland. He soon reduced Stirling Castle, and then marched for Dundee, which was held by the covenanters. On Monday, the 1st September, he stormed and took that town, the defenders refusing to accept quarter; when he commanded all of both sexes to be put to the edge of the sword! The defenceless inhabitants took sanctuary in the great collegiate church, but which proved no protection to them; for eight hundred men and two hundred women and children were there butchered by the fanatical independents as a filial offering to the sect that had made “the sectaries.” The town was then given up to plunder, and Balfour asserts that it exceeded two million and a half Scots. Lumsden, the governor, was killed after quarter had been given; several other gentlemen shared the same fate; and Affleck and Robertson, two of the ministers, were sent prisoners by sea to London. “Thir two ministers were very averse from holding out the town, but would have had it rendered, knowing that

such a drunken, deboshed people, could do no good against so vigilant and active an enemy. Notwithstanding, the choleric and merciless commander would not hear them speak one word in their own defence, but in a rage commanded Mr. John Robertson not to speak one word, which if he presumed to do, he would scobe his mouth¹."

With the exception of Huntly and Argyle, who made a shew of opposition to Cromwell, the whole kingdom now lay prostrate at the feet of the conqueror. When danger approached Argyle retired to his own castle at Inverary, and thence wrote to Monk, proposing a meeting of the chief men of both kingdoms in some convenient place, in order to stop the further effusion of blood. He sent this letter by a trumpet to Dundee; but Monk only answered, "that he could not treat without orders from the parliament of England." Huntly's attainder had been reversed, and he raised about two thousand horse and foot; but on Monk's approach he retired to the highlands. Argyle summoned a meeting of the noblemen who still remained in the kingdom, and represented to the Rump the danger of driving the Scots to despair, which prevented Cromwell from reducing Scotland to a republic and a province of England, as he intended to have done. English law was introduced into Scotland, and a set of judges appointed by the Rump were sent down to supersede the native judges, and to govern the kingdom. On their arrival all public acts passed in their name, and in that of the commonwealth of England; and in order to an union of the commonwealths, they ordered twenty-one members to be sent up to London as the representatives in the Rump of this ancient and independent kingdom. This was very ill relished by the people; but Guthrie says, that "even the common people began now to think that *no slavery could be equal to what they had already suffered from their preachers*. The parliament officers affected the character of being scourges of presbytery. They preached and prayed in all the churches; and at last the English commissioners themselves demanded a total abrogation of the Scotch municipal law, *and the established religion*²."

THE COMMISSION which met in Edinburgh were alarmed at these changes, as foreseeing in them the downfall of their own power, through their usurpation of which, their native country had been reduced to the greatest state of degradation and disgrace which it had ever before experienced. The decisions of the parliamentary officers were more equitable and impar-

¹ Balfour's Annals, iv. 315.

² General History, x. 46-53.

tial than the administration of justice had ever been known in Scotland before, and gave universal satisfaction to the people. In the first impulse of their alarm, the ministers acknowledged their punishment to be just for their late treaty with the king; yet they ventured to remonstrate with Lambert against the proceedings of the army, the reduction of the kirk to subordination to the state, the contempt of the sectaries for the covenant, and many similar grievances. "Their fury served only to strengthen the good understanding between Argyle and Monk, who threatened, if they continued their practices, to proceed against them with *military execution*; and this menace had considerable effect in quieting their madness¹." "The meeting of the [remonstrant] ministers at Edinburgh is dissolved; there were sixty-six of them in all. After they had made a kind of auricular confession, every man for his own sins; some for idolizing the covenant too much, others for compliance with the king, [!] their pride, ambition, and other sins, they have dissolved, and have sent some of their number to Glasgow, where they intend [to hold] a provincial meeting in a judicial way, and will emit some declaration or warning. They are very much troubled they cannot have that power in civil things, *in ordine ad spiritualia*, which they were wont to have in this nation; under which pretence, they got all civil power whatsoever in their hands²."

THAT PROVINCIAL SYNOD did meet accordingly at Glasgow, under the chief auspices of Gillespie and the remonstrators; but it was also attended by a few of the resolutioners. The former party at first would not associate or even speak to the latter; but at last they began the business of the synod, and Warristoun, Gillespie, and Guthrie, met with Baillie and some others, to whom, "after a long debate, the remonstrators gave a shifting answer that their meeting was dissolved, and the brethren gone home, and they could say nothing; though none of note were gone but Mr. Livingston, and their chief men were all present. This dealing did grieve us all, and made us see more of the progress and *incurableness of the schism*." A Warning, however, was agreed to, and Mr. Blair was ordered, in drawing it, carefully to eschew all offensive and irritating expressions; for the fear of Oliver's sword was now before their eyes! Nevertheless, Baillie and his party dissented from the act respecting the Warning—"We, &c., do dissent and protest against that paper, and all other proceedings of that synod contrary to the late General

¹ General History, x. 49.

² Mercurius Scoticus Diurnal: cited by Balfour, Annals, iv. 317.

Assembly, and desiring this our protestation to be inserted in the synod books¹." We see schism and division always going hand in hand with presbytery. Balfour's account of this synod is, that "in November the ministers of the west that had made and still maintained a very great *schism* in the church, and disavowed the last General Assembly, holden at St. Andrews and Dundee, set out at this time a pamphlet, called 'A Discovery, after some Search, of the Sins of the Ministers;' which is divided into nine sections. . . . Their westland renters of the church held a meeting at Edinburgh about the latter end of the same month, by the name of the commission of the kirk; the prime actors in it were the two firebrands, Mr. James Guthrie and Mr. Patrick Gillespie, both of them deprived by the late General Assembly at Dundee²."

1652.—THE POWER of the kirk was now reduced to insignificance; for although they had still the privilege left them of excommunication, yet the civil pains and penalties were removed from following their sentence. Cromwell would not permit any oaths or covenants to be imposed except with his own consent. He did not disturb the presbyterians in their opinions on church government, nor restrict them in the exercise of their public worship; but this discipline occasioned a great commotion among the ministers, who exclaimed against toleration, although they themselves were enjoying the benefit of it, as opening a door, they said, to all kinds of error and heresy; but all they could now do was to mourn over a broken covenant and a back-sliding kirk. They had threatened Mr. Irvine, of Drum, with excommunication for abusing the kirk and refusing to swear that its holy discipline was of divine authority. This threat having been made before excommunication had been deprived of the sting which it had inherited from popish times, he fled to England to avoid the penal consequences, where he wrote to the commission that their oppression was greater than what had been complained of under the prelates, but that the commonwealth of England would not permit men's consciences to be any longer enslaved. "The presbytery would have proceeded to extremities with him, but Monk brandished his sword over their heads, and threatened to treat them as enemies to the state, upon which they desisted for the present³."

On the 2d of January, a meeting of the remonstrators broke up at Edinburgh, with reference to the settlement of public affairs.

¹ Baillie's Letters, fol. 173, App. 561.

² Balfour's Annals, iv. 330.

³ Neal's Puritans, ii. 591.

"It was composed of them who are called ministers and laymen [lay-elders], whereof Mr. James Guthrie was moderator; who, as he was chosen to moderate, so, in his old wonted presbyterian zeal, would proceed in nothing, till he first knew whether any were present who were accessory to the shedding of the *blood of the saints*. *Quasi vero*, he had been free of any such thing: though most instrumental in drawing on an engagement at Dunbar, he may remember his accession to his spilling of blood at Hamilton; but we know the Pharisees can bewail the death and sufferings of the prophets, though apt to persecute Christ and his disciples. It is remarkable this meeting was not called without cunning, for upholding the presbyterian interest. The matter is this: about six weeks ago and above, some godly and well-affected men in this land, taking a course (beside the priests not heeding them in the business) in order to the good of the nation, with no less purpose than to remonstrate and petition (whose proceedings as yet we hope shall take effect) against coercive restraint, and for incorporating the two nations into one commonwealth. But the presbyterian ministers, with their grandee, Warriston, finding this prejudicial to their craft, Demetrius like, called together such as were of their own stamp, cunningly breaking off the meetings of those who intended to bring to nought their craft, in making silver shrines for their presbyterian Diana, did withdraw themselves altogether from such meetings: the result of which is confusion; for nothing is now to be heard after this convocation but crying out—'great is the presbytery!' Now they have drawn up a letter, though with great debate, not knowing well to whom to send it, or how to call those to whom they should direct it, and are about to send it to the general; testifying against all our proceedings, and with a full pretence (I should say purpose) of suffering, do earnestly beg religion in Scotland may be preserved and established according to the covenant, which, in their account, is nothing but presbytery. Mark their ingenuity; they resolve to *suffer*, and yet would have *power to persecute*. Verily, I think they are *justly* sufferers, who go about to be *persecutors*. In the interim, I suppose they shall not receive a satisfactory answer in petitioning him (viz. Cromwell), against whom they testify; this bewrayeth their policy, though presbytery be usually attended therewith. Howsoever, as they convened cunningly, with a full purpose to maintain their craft, that their idol presbytery perish not, so they are dismissed confusedly, crying out—'great is the presbytery!' We have only to add to it, that Warriston, in face of the meeting, contrary to experience, with

a full purpose to deceive the simple (*ex ungue Leonem*) denied any treaty to have been offered by the English before Dunbar to the Scots. But we know it is a Machiavelian policy, *fortiter calumniarii*¹."

UPON THE ADVANCE and consequent success of Cromwell, the regalia, or, "the honours of Scotland," as they were called, ran considerable risk of falling into the hands of the invader. They were therefore deposited in the strong baronial castle of Dunnottar, near Stonehaven, under the charge of Mr. George Oglevie, of Barras, as lieutenant-governor, with a company of soldiers and some artillery. General Lambert invested this castle, and summoned Oglevie to surrender it, who still held out; but it was evident that he must soon be starved into a surrender. In this emergency female ingenuity discovered a remedy where masculine valour and prudence might have totally failed. The dowager countess Marischall probably planned the enterprise; but it was executed by the wife of the Rev. James Grainger, minister of Kinneff, a small parish church within five miles of Dunnottar. She obtained permission from Lambert to visit the governor's lady, who acted in concert. On her return Mrs. Grainger took the crown in her lap, and Lambert himself helped her to mount her horse, which had been left in the camp, as the castle cannot be approached on horse-back. Her maid followed on foot, bearing the sword and sceptre concealed in lint, which, Mrs. Grainger assured the general, was to be spun into yarn. They reached the parsonage without discovery, and Mr. Grainger gave a receipt to lady Marischall, and described the places where he had deposited them. "For the crown and sceptre," says he, "I raised the pavement-stone just before the pulpit in the night-time, and digged under it a hole, and put them in there, and laid down the stone just as it was before, and removed the mould that remained, that none would have discovered the stone to have been raised at all. The sword again, at the west end of the church, amongst some common seats that stand there, I digged down in the ground betwixt the foremost of these seats, and laid it down within the case of it, and covered it up, as that removing the superfluous mould it could not be discovered by any body." The honours were thus deposited in the month of March, and in May the castle was surrendered, and they lay in the church of Kinneff till after the Restoration, when the worthy minister and his patriotic spouse delivered them up in safety to the proper officers of state. The governor and his

¹ *Mercurius Scoticus*, cited in Balfour's *Annals*, iv. 346-349.

lady, as well as Mr. and Mrs. Grainger, were treated with great severity by the republicans when they found they had been outwitted, and they were all subjected to torture, without making any discovery. Lady Marischall gave out that her youngest son, sir John Keith, had conveyed them abroad; and he himself, in order to keep up the deception, wrote home to several parties, congratulating himself that he had conveyed the honours safely out of the kingdom, and consigned them to the king's own hands at Paris¹.

CROMWELL sent a set of commissioners of the independent sect into Scotland to visit the universities, and to settle what he called liberty of conscience against the extravagant and coercive claims of the kirk. The Assembly met this year, according to the appointment of the last, on the 26th of July, where the same contentions betwixt the remonstrator faction and the resolutioners still continued to disturb their dignity, and the former party presented a protest against the lawfulness and orthodoxy of this meeting. The English commissioners presented a declaration in favour of the congregational discipline, and for liberty of conscience; but the stubborn Assembly-men, as Neal calls them, instead of yielding to the declaration, published a paper called a "Testimony against the present encroachments of the civil power upon the ecclesiastical jurisdiction," in which they express as much indignation as *they dared* at the appointment of visitors for their universities, which they considered a special flower in the garland of the kirk's prerogatives. The disputes and wranglings of the protestors prevented all business from being transacted, and there is no printed account of their acts, except a small tract entitled "Three Acts of the General Assembly for observing the grounds of Salvation, and observing the Rules of Discipline," and which is now very scarce; but the titles of the three acts were—"Overture for ordering of Lecturing and Catechising, to be observed while [until] the next General Assembly;—Act concerning admitting Expectants to their Trials, and ruling-elders to act in presbyteries and synods;—Act for putting in execution former acts and constitutions of General Assemblies, anent trying, admitting, removing, and deposing of church officers, censuring scandalous persons, receiving penitents, and debarring of persons from the Lord's table."²

THE SYNOD OF FIFE protested against the public Resolutions

¹ Wood's Peerage, art. Kintore; cited in Sir Walter Scott's Description of the Regalia of Scotland.

² Session 17, August, 1650.—Session 19, August 3.—Session 20, August 3.

and the encroachments of the civil power; but they were kept in check by the secular arm, which they found was more vigorous and reached further than that of Charles the martyr, whom, nevertheless, they denominated a tyrant. The synod of Perth cited several persons before them for slighting their admonitions; but on the day of their appearance, the wives of the delinquents, to the number of about a hundred and twenty, besieged the church where the synod sat, with clubs in their hands. The synod sent out a deputation to appease the amazons, and to threaten them with excommunication if they continued contumacious; but they beat them, and dispersed the meeting, when the ministers adjourned to a village about four miles off, and having agreed that no more synods should be held in that place, they shook the dust off their feet, and pronounced it accursed¹.

THE PRESBYTERIANS, who had been so rebellious and unreasonable to their natural sovereign, now began to feel by experience that their crimes against Charles were, by an act of retributive justice, to be punished by the sword of a stranger. Cant, and others of the rabid breed, began to prepare their followers for *suffering* for the covenant, as their new master would not allow them to *fight* for it. And he began the custom of requiring a promise from parents when they brought their children to his so-called baptism, to educate them in the belief and practice of that stern engine of evil, the covenant, a thing of men's invention, because it was esteemed more sacred and indissoluble than their baptism, which is an institution of God, and the water of which represents the blood of Christ; it was of more consequence to what he called the true faith than any of the ancient means of grace, which had been instituted by the Lord of glory himself. The resolutioner ministers had now learnt some degree of moderation from the effects of their own folly, and the increasing audacity and overbearing conduct of the remonstrators; of whom Baillie complains, that "our usurping brethren, through their unnatural *divisions*, have *added muck* to our *calamities*: the lamentable evils of that breach *increase* daily." Retributive justice now made Baillie feel the usurpation that the whole presbyterian party practised on the bishops and the episcopal clergy, yet he makes no sign of repentance: but rebellion is seldom or ever repented of; there is a sort of witchcraft in it, which blinds the transgressors with the delusion that they are true patriots, and the only people of God. "To expect an union," he continues, "on the smallest submission of these

¹ Whitelock's Memoirs, cited by Neal, ii. 591.

men, it is in vain, though the *little remainder* of our church and state *should perish before our eyes*." In the synod of Glasgow the protestors had the majority, and Baillie says they had "for two days fell bickerings. Brethren of our judgment [the resolutioners] were rarely convened; the other very frequently." And again, the protestors "will plant churches only with *the most violent* young men of their own side, and are sure, by some means or other, to mar all others to the utmost of their power; they mind nought but to compass their designs, and for that end to tread down all in their way."

1653.—THE ENGLISH visitors of the universities appointed the "fire brand," Patrick Gillespie, principal of the university of Glasgow; against which Mr. Baillie and others protested, because he was not furnished with that measure of learning necessary for such an office, and because he had been deposed by the General Assembly, 1651, and he had not yet satisfied any of their judicatories. It appears that Gillespie had meditated some vengeance on Baillie, with whom he was to commence a prosecution before the visitors, "as the beginning of a sore persecution to many." Gillespie intended to summon his opponents before the English judge, in order that he might decide whether the established presbytery, or a seceding one, which he himself had set up, were the legal establishment, and Baillie says, "the man is restless," indeed he seems to have kept them all in hot water; and he further adds, his procuring Baillie's dismissal, and his own appointment, "is to me a demonstration that there is more betwixt that [the protestor] party and the English than we yet know of." Cant wrote from Aberdeen to the synod of Glasgow "a large and injurious invective against all who will not join with the protestors to serve the enemy, to continue the yoke of strangers for ever on their native country, and to lay a necessity on the consciences of the people to exclude, without all cause, the king, the nobility, and all who will not be proselytes to them, from professing their civil rights."

Retributive justice was now about to fall on the divided and distracted presbyterians, and the very men who had held an Assembly, in defiance of their sovereign, and began that rebellion which hurled him from his throne, were now to be dispersed from their usurped chair of infallibility by the command of an usurper. The Assembly met in Edinburgh on the 20th of July, and, in Baillie's mournful words, when it "was set in the ordinary time and place, lieutenant-colonel Cotterell beset the church with some ratts of musketeers and a troop of horse; himself (after our fast, wherein Mr. Dickson and Mr. Douglas

had two gracious sermons) entered the Assembly-house, and immediately after Mr. Dickson the moderator his prayer, required audience; wherein he inquired, if we did sit there by the authority of the parliament of the commonwealth of England? or of the commander-in-chief of the English forces? or of the English judges in Scotland? The moderator replied, "that we were an ecclesiastical synod, a spiritual court of Jesus Christ, which meddled not with any thing civil; [!!] that our authority was from God, and established by the laws of the land yet standing unrepealed; that by the Solemn League and Covenant the most of the English army stood obliged to defend our General Assembly. When some speeches of this kind had passed, the lieutenant-colonel told us, his order was to dissolve us; whereupon he commanded all of us to follow him, else he would drag us out of the room. When we had entered a protestation of this unheard-of and unexampled violence, we did rise and follow him; he led us all through the whole streets a mile out of the town, encompassing us with foot companies of musketeers, and horsemen without; all the people gazing and mourning as at the saddest spectacle they had ever seen. When he had led us a mile without the town, he then declared what further he had in commission; that we should not dare to meet any more *above three in number*; and that against eight o'clock to-morrow, we should depart the town, under pain of being guilty of breaking the public peace. And the following day, by sound of trumpet, we were commanded off town, under the pain of present imprisonment. Thus our General Assembly, the *glory and strength* of our church upon earth, is, by your soldiery, *crushed and trod under foot*, without the least provocation from us, at this time, either in word or deed. For this our hearts are sad, our eyes run down with water; we sigh to God, against whom we have sinned, and wait for the help of his hand; but from those who oppressed us we deserved no evil. We hear a noise of further orders, to discharge all our synods and presbyteries, and all prayer for our king: many the most moderate reckon such orders will make havoc of our church, and raise against many of the best men we have, a sore persecution, which, God willing, we purpose to endure [with] all patience and faith, giving just offence to none¹."

HERE ENDETH, therefore, the reign of the General Assemblies; for Cromwell never suffered them to meet again during his protectorate, and, in fact, it may be said to have been the death-blow to the presbyterian establishment, for it deprived the whole

¹ Raillie's Letters, iii. 225-226.

kirk of its government. But it is a just retribution. They sat in defiance of the king's authority, and enacted laws subversive of the civil and ecclesiastical laws of the kingdom, in 1638, and annulled the acts of six General Assemblies, whose acts had been ratified by as many parliaments; they deposed, excommunicated, and imprecated a curse on the governors of the church, and even threatened their lives; they prosecuted Laud, Strafford, and the king, to death; and they excommunicated all the loyal men who had ventured their lives and fortunes for the rescue of their murdered sovereign, and who supported the pretensions of their young king; and they were then divided among themselves in a violent and most exasperating schism, which has never been healed to this hour. Cromwell's summary dissolution of their Assemblies, therefore, was only in a mitigated form commending the poisoned chalice to their own lips; a retaliation for their having, as Mr. Henderson said, "thrown down the walls of Jericho" in 1638. This dispersion, says Mr. Skimmer, was a "severe blow to the presbyterian kirk of Scotland, thus to have their General Assembly, which had maintained its ground so long, and acted in defiance of even sovereign authority, scattered like chaff by the wind of command from a petty English officer. What was now become of their Loudons, and Lindsays, and Warristons, and Hendersons, those daring heroes of holy chivalry, who could out-brave kings and commissioners, and combat royal edicts with bold protestations? The times seem to be strangely changed, and the men now in power were neither to be bullied by big words nor flattered by deceitful promises. They had learned from experience the proper method of curbing unruly tempers, and it may truly be said that Charles I. had taught Cromwell how to manage the Assemblies of the Scottish kirk¹."

THE PERIOD betwixt the Glasgow Assembly and Cromwell's *extirpation* of the Assemblies has always been reckoned the GOLDEN AGE of the kirk, after it had been purged from malignants and reformed on a "scriptural basis," by the abolition of patronage and the supremacy of the General Assembly; and it was its very "noon-tide" when Cromwell made himself the HEAD OF THE KIRK. Yet during this glorious noon-tide of the golden age, sin abounded to a greater extent than at any time during prelacy. In the "Causes of the Lord's Wrath," published by authority of one of the golden-aged Assemblies, they state that crime had increased to an enormous degree. And, says Dr. M'Crie, "O how loud the call to constancy in Scotland, which

¹ Ecclesiastical History, ii. 431.

God had now brought a second time from the furnace of persecution, brighter and purer than ever, and had *glorified* in the sight of other churches and nations, by making enemies come and worship before her, and to know that he had loved her! But ah! *how soon was her fine gold changed!* how quickly did the glory depart from all the three churches! ¹” And this “Philadelphia which seemed now to be in her flower,” is accused by one of her golden-aged commissions of being polluted with the following list of enormous sins:—“1. The gross atheism and ignorance of God and of his word and works, that is in a great part of the inhabitants of the land, which is such that neither law nor gospel, nor the most common and necessary points of truth, are understood or known by many thousands. 2. Horrible looseness and profanity of conversation in all sorts, against the commandments both of the first and second table, which hath so abounded and increased that scarce hath any of the nations exceeded us therein ².”

And the commission issued a tract this year, entitled “A humble acknowledgment of the *sins of the ministry* of Scotland³,” in which they accuse themselves of “*Lightness and vprofanity in conversation*, unsuitable to the holy calling which they did intend, &c.”—Ignorance of God, &c.—Exceeding great *selfishness* in all that we do, acting from ourselves for ourselves.—*Refined hypocrisy, desiring to appear what indeed we are not*.—Readier to search out and censure faults in *others* than to see or take them to *ourselves*.⁴—Foolish jesting away time with impertinent and useless discourse, very unseemly the ministers of the gospel.—Covetousness, worldly mindedness, and an inordinate desire after the things of this life, upon which followeth a neglect of the duties of our calling, and our being taken up for the most part with the things of the world.—Not preaching Christ in the simplicity of the gospel, nor ourselves the people’s servants for Christ’s sake.—Preaching of Christ not that the people may know him, *but that they may think we know much of him*.—Bitterness instead of zeal, in speaking against malignants, sectaries, and other scandalous persons, and unfaithfulness therein.—Too bitter expressions against adversaries in public paper and sermons, foreshewing of reproaches, whereof there is no fruit but irritation⁵.—Following of public business, with too much neglect of our flocks⁶.”

¹ Testimony of the Associate Synod of Original Seceders, 26.

² Causes of the Lord’s Wrath against Scotland manifested in his sad dispensations.

³ Printed in 1653. ⁴ Chap. I, Sect. 1. ⁵ Chap. III. Sects. 1, 2, 19, 24.

⁶ Chap. IV. Sects. 2, 25.—Chap. V. Sects. 13, 14, 18, 24. ⁷ Chap. XII. Sect. 3.

CHAPTER XXVI.

THE HEADSHIP OF OLIVER CROMWELL.

PRESBYTERIES, AND THE RESTORATION.

1654.—A new oath.—The Head of the kirk fills the universities with his own friends.—Proceedings of Cromwell's supporters.—Another Assembly dispersed.—Designs of the remonstrators.—Separate communions.—Purgation.—Two separate synods.—Ordination at Douglas.—A schism.—Retributive justice.—Nobility suffer for sacrilege.—General suffering.—1655.—Conference proposed between the two religious parties.—Increase of popery.—Calamities of the church and state under general Monk.—1656.—Mr. Sharp made a professor.—A commission of the kirk attempted.—Mr. Sharp sent to London—his instructions.—Mr. Guthrie sent also—his instructions.—1657.—Cromwell gave them audience.—Baillie's letter to Mr. Ashe.—The state of the kirk.—Remonstrators wanted supremacy.—1658.—The designs of the remonstrators defeated.—Public distress.—Death of Cromwell—manner of it.—1659.—Richard Cromwell succeeds.—The Rump.—King's declaration.—Synod at Glasgow.—1660.—Monk's conduct—his declaration to Dr. Price—sends for Mr. Sharp—his address and counsel.—A parliament summoned.—Mr. Sharp follows the general to London—his instructions.—Fears for the restoration of episcopacy—a scheme proposed to prevent it.—The engagement and oath of abjuration annulled.—Dissolution of the Long Parliament.—Mr. Sharp's influence—procures the release of the Scottish prisoners in the Tower.—Monk's instructions to sir John Greenville.—King removes from Brussels to Breda.—Mr. Sharp's letters.—Episcopacy popular.—Douglas's proposal.—Reaction against the covenant.—Baillie's letter to Lauderdale.—Mr. Sharp assures Douglas that episcopacy will be established.—Douglas's anxiety about the establishment of presbytery—his reasons for it.—Provincial synods in Scotland.—Douglas's sermon.—The king proclaimed.—Mr. Sharp sent to Breda—his letter to Douglas.—Douglas's alarm about the prayer book.—Baillie's account of affairs.—Use of the prayer book restored.—Scottish nobility for episcopacy.—Gillespie's movements—offers to assist in bringing episcopacy into Scotland.—Earl of Middleton made commissioner.—Other appointments.—A presbyterian's opinion respecting the changes.—Synods.—Mr. Sharp's return to Scotland—receives a vote of thanks from the presbytery.—Letter from Sharp to Baillie.—Reflections.

1654.—THE HEAD of the kirk now imposed a new oath on the republic, which he called an ENGAGEMENT: "I, A. B. do hereby freely promise and engage to be true and faithful to the

lord Protector of the commonwealth of England, Scotland, and Ireland, and will not propose or give my consent to alter the government, as it is settled in one single person and a parliament." All the presbyterian ministers were obliged to take this Engagement or Tender on their taking possession of their benefices, to which, however, they were very averse; but Cromwell was not the man to be trifled with. Baillie bitterly complains of their new master, and says: "We here are groaning to God under many heavy pressures. The beauty, strength, and order of our ecclesiastic meetings are well near gone—I grant much by our own fault. The abolition of almost all our church liberties, and putting the power of planting and displanting of ministers in the hand of strangers, to whom church discipline does not belong, is heavy to us. The putting down of our General Assemblies, and kirk commission, and giving a liberty to any who will to profess many grievous errors, when we did expect, in performance of a very solemn sworn covenant, a full and perfect reformation, does oft break our heart, and a flood of farther evils ready to break in on us does much perplex us; but the conscience of our just deservings, not at all from men, but the Lord, makes us put our mouth in the dust, and acknowledge it for great mercy that we are not yet consumed, but have yet any kind of subsistence¹."

After all the crimes and excitement of the revolution, and all the perjury of those ministers who turned with the times to presbytery, the issue is this desolation and prostration of the holy discipline, the transmutation of the golden age of the kirk into an age of iron, a government of the sword. One of the first acts of Cromwell's government was to plant the universities with men subservient to his own views. The remonstrators had always favoured him, because they were enabled by his power to put their feet on the necks of their brethren the resolutioners, the moderate party in the kirk, and to whom the episcopal clergy adhered, who were numerous in the north. He now, therefore, rewarded their zeal by placing Patrick Gillespie principal, and John Young professor of divinity, in the university of Glasgow, which gave that faction the command of the kirk. Mr. Baillie was, of course, ejected, and with him the moderate party. These and some other appointments were made by "order and command of the English judges," and Gillespie was willing "to obey the English order." Mr. Baillie protested and gave sufficient reasons against Gillespie's appointment, "for insufficiency, neglect of duty, and mal-

¹ Letters, iii. 235.

administration of the revenues of the said college." Gillespie immediately changed the factor or land-agent of the College property, for one in the Cromwellian interest, and "so he gripped our purse, that no man should get any stipend but as he thought expedient." Two protestors were likewise put into possession of the two colleges at Aberdeen, and who went over avowedly to independency and separation, out of compliment to the Head of the kirk. On the 10th of April Cromwell ordered two of the remonstrators to proceed to London, "and to give their advice in matters of high concernment. This has alarmed us all, fearing lest the protector purposes to put our church in a new mule, and begin upon us a sore persecution¹."

"As for our church affairs," says Baillie, "thus they stand:—The parliament of England had given to the English judges and sequestrators a very ample commission, to put out and in ministers as they saw cause, to plant and displant our universities. According to this power they put Mr. John Row in Aberdeen, Mr. ROBERT LEIGHTON in Edinburgh, Mr. Patrick Gillespie in Glasgow, and Mr. Samuel Colville they offered to the Old College of St. Andrews. . . . All our colleges are quickly like to be undone. Our churches are in great confusion: no intrants get any stipend till they have petitioned and subscribed some acknowledgment to the English. When a very few of the remonstrants, or independent party, will call a man, he gets a kirk and the stipend; but whom the presbytery, and well near the whole congregation, calls and admits, he must preach in the fields, or in a barn, without stipend." Independents and remonstrators were therefore placed in all vacant parishes in the western counties, which accounts for the agitation in those parts after the Restoration. It appears the presbyterians had attempted to hold an Assembly this year, but which was likewise dispersed by colonel Lilburne; for, continues Baillie, "We thought *at the General Assembly* to have gotten some course for this; but colonel Lilburne, the commander-in-chief, gave orders to the soldiers to break our assembly before it was constituted, to the exceeding great grief of all, except the remonstrants, who insulted upon it, the English violence having trysted [concurred] with their protestation against it. Since that time we have had no meeting for the whole church, not so much as for counsel, though the remonstrants have met oft, and are like to set up a commission and assembly of their own, for very ill purposes." It was the design of the two

¹ Baillie's Letters, iii. 237-244.

leaders of the remonstrators, Gillespie and Guthrie, "to purge the church," and to place men of their own views in the parishes, and many of that party were falling off to the "English errors, both of church and state." The English commissioners favoured the protestors, and called the resolutions "rascally malignants." They were going on rapidly to revolutionise the kirk, and were "playing strange pranks."

The remonstrators had held a secret meeting at Edinburgh, from which they were instructed to have monthly fasts and communions, from which they excluded more than the half of those who were usually admitted: "six or seven ministers, leaving their own congregations *desolate*, were about the action: numbers of strangers flocked to these meetings: at their fasts four or five ministers of their best preachers in the bounds exercised from morning till even. The great design of all this was evidently but to increase their party, whereof yet in most places they missed. Always the word went, that they purposed to put up committees for purging and planting everywhere, as they thought fit. I was so charitable as not to suspect them of any such purpose, when the land was full of confusion and danger; yet I found myself disappointed; for at our synod the moderator's sermon ran on the necessity of taking up the too long-neglected work of purging. The man's vehemency in this and in his prayer, a strange kind of sighing, the like whereof I had never heard, as a pythonising out of the belly of a second person, made me amazed. To prevent this foolish and cruel enterprise, we pressed in the entry of the synod, that in these times of confusion we might be assured of peace till the next synod. We intimated our great willingness to cast out of the ministry all whom we conceived either unfit for weakness, or scandalous; but a synod so divided in judgment as we were, we conceived very unfit for any such work. When we found our desire flatly refused, and perceived a clear design to set up presently their tyrannous committees, we, as we had resolved beforehand, and were advised by the ministry of Edinburgh, and others of our mind, required them that our synod might be rightly constitute: that ministers censured by the General Assembly [Gillespie himself being one of them] and elders notoriously opposite to the last three General Assemblies, might have no voice. When this was flatly refused, we shewed we were necessitated to sit by ourselves, and leave them in their separation from the General Assembly and kirk of Scotland. When, by all we could say, nothing could be obtained, all of us who adhered to the General Assembly went

to the Blackfriars, and there kept the synod, leaving our protestation with them.¹

In consequence of the overbearing conduct of Gillespie, and the "fell bickerings" that his ambition and bigotry occasioned, there were now two rival synods sitting at the same time, and each claiming to be the true and only provincial representative of the church of Scotland; but as Gillespie's party had the favour of the Head of the kirk, and the assistance of his troops, they contrived to fill several vacant kirks with their own sort. They filled the kirk of Douglas, against the unanimous declamation of the parishioners of all ranks, who refused to admit them into the church, and were obliged to ordain their man Kidd on the brae side [hill side] under the protection of a lieutenant's guard of infantry from Glasgow; "an abominable example, *generally much abhorred*, which shews what we may expect from that party." The "true presbytery" of Lanerk, that is, however, the resolutioner section, ordained and inducted a Mr. Archibald Inglish to the parish of Douglas, a week after the other hill-side ordination, who, it was supposed, would not enjoy the stipend which would go to Kidd, although the people and the two proprietors, the marquiss of Douglas and the earl of Angus, were in Mr. Inglish's favour. "In this glass see our condition," says Baillie. "It is so in sundry congregations already, and like to be so in more; not so much through the violence of the English, as the unreasonable headiness of the remonstrants, which for the time is remediless; and we, for fear of worse, from their very evil humour, give way to permit them to plant divers churches as they like best. This formed schism is very bitter to us, but remediless, except on intolerable conditions, which no wise orthodox divine will advise us to accept. We must embrace without contradiction and let grow the PRINCIPLES of the remonstrants, which *ALL REFORMED DIVINES AND ALL STATES IN THE WORLD ABHOR*: we must permit a few heady men to waste our church with our consent or connivance; we must let them frame our people to the sectarian model; a few more *forward* ones joined among themselves, by privy meetings, to be the *godly party* and the congregation, the rest to be the *rascally malignant multitude*: so that the body of our people are to be cast out of all our churches, and the few who are countenanced, are fitted, as sundry of them already have done, to embrace the errors of the time for their destruction. Against these abominations we strive so much and so wisely as we can." These are the men

¹ Baillie's Letters, iii. 244-246.

² Ibid. iii. 247-48.

who made the schism, the desertions, and all the field conventicles, seditions, and open rebellions, which afflicted the nation, and brought such calamities on the church after the restoration. But such ever has been the case; "the son of Hagar, the Egyptian," ever has and ever will "mock," that is, *persecute* Isaac, the true church, which has the promise, and is destined to bring forth seed unto faithful Abraham, who, through many trials and much tribulation, may enter into the kingdom of heaven, having washed their robes, and made them white in the blood of the Lamb in holy baptism.

In this melancholy description of the ecclesiastical affairs of that period, we can plainly perceive the even hand of retributive justice in punishing the prime instruments of the *extirpation* of God's holy church. Baillie, as the mouth-piece of the moderate party, complains of the violent conduct of the ultra-reformers; but who were merely carrying out against them the principle on which they themselves had previously acted towards the bishops. The remonstrators were now meting out to their fellow presbyterians the same measure that they had measured to the episcopalians; and they now felt that sharpness of the serpent's tooth which they had compelled the fathers of the church to experience from their rebellious children, when they declared these worthy Fathers¹ and confessors to be INFAMOUS, to be holden as ETHNICKS AND PUBLICANS, and threatened them with death. Yet these judgments and calamities do not seem to have wrought any repentance in the hearts of the moderate presbyterians; for they still continued to glory in their shame, and to clinch the infamy of their former proceedings by approving and exulting over their past crimes.

But to continue the mournful language of the same revolted son of the church; he says—"Our nobility [are] well nearly wrecked; dukes Hamilton, the one execute, the other slain; their estate forfault; one part of it gifted to English soldiers; the rest will not pay the debt; little left to the heretrix; almost the whole name undone with debt:—Huntly execute; his sons all dead but the youngest; there is more debt on the house than the land can pay:—Leunox is living as a man buried, in his house of Cobham:—Douglas and his son Angus are quiet men, of no respect:—Argyle almost drowned with debt [notwithstanding the large share of "brotherly assistance" and public money], in friendship with the English, but in

¹ "For though ye have ten thousand Instructors in Christ [priests], yet have ye not many Fathers [bishops or apostles]: for in Christ Jesus I have begotten you through the gospel."—1 Cor. iv. 15.

hatred with the country: he courts the remonstrators, who were and are averse to him:—Chancellor Loudon *lives like an outlaw* about Athole, his lands comprised for debt, under a general very great disgrace:—Marischal, Rothes, Eglinton, and his three sons, Crawford, Lauderdale, and others, prisoners in England, and their lands all either sequestered or forfeited, and gifted to English soldiers; Balmerino suddenly dead, and his son, for public debt, comprisings, and captions, keeps not the causey [dare not appear in public]:—Warriston having refunded much of what he got for places, lives privily, in a hard enough condition, *much hated* by the most, and neglected by all, except the remonstrants, to whom he is guide. Our criminal judicatories are all in the hands of the English; our civil courts in their hands also; only some of the remonstrators are adjoined with them. . . . The commissariat and sheriff's courts are all in the hands of the English soldiers, with the adjunction in some places of some few remonstrants. Strong garrisons in Leith, Edinburgh town and castle, Glasgow, Ayr, Dumbarton, Stirling, Linlithgow, Perth, Dundee, Burnt Island, Dunnottar, Aberdeen, Inverness, Inverary [Argyle's own town], Dunstaffnage, &c.¹

“Of a long time no man in the whole isle ~~did~~ mute; all were lulled up in a lethargic fear and despair. . . . But behold inward division doth hazard all at the very beginning. The irreconcilable discords of Argyle and Hamilton had undone the isle, and almost both the families. . . . So for the time the case of our land is most sad. . . . Being called the other week to confer with the brethren of Edinburgh, I was comforted to find all that met fully of my sense both about prayer for the king [the resolutioners persisted in naming the king in their public prayers, for which they suffered many hardships both from the head of the kirk and also from the remonstrators], and affairs of our *divided* synod, *divided* presbytery, troubled college, and all else we spoke of. But it was a sad sight to see the general affliction at the proclamation of the protector of the act of union, the act of forfaultry, and deep *fining* of so many, the preparation of Monk by sea and land presently to swallow up the northern [royalist] party, destitute of all hope of the oft promised foreign supplies as common fame surmised. As our miseries (without a kingdom wholly, without any judicatories to count of of our own, without a church well near) are great, so we expect they shall increase, and the next heavy dint [blow] shall fall on the chief of the ministry. At

¹ Baillie's Letters, iii. 248.

"Upon the reduction," says Dr. Skinner, "of the highlands, there being now no enemy in arms in Scotland, general Monk found himself at liberty to inspect the civil affairs of the country. And because the covenanting clergy had grown so insolent in their power and influence over the government and people, a particular care was used to abate their rigour. They had, indeed, the undisturbed use of their kirks and preaching during general Monk's command, but were not permitted the liberty of making *reflections upon their superiors or the government*, unto which, by the *complexion* of their religion, or the pragmatistical spirit of the clergy, they are greatly inclined. The power of excommunication, and the consequents upon it, which was *the palladium of presbyterianism*, was wholly taken from them. Their presbyteries were, indeed, *connived at*, but their General Assemblies were disturbed and *forbidden*. So that they who some years before, in the height and ruffle of their religious zeal, being abetted by their party in England, had the confidence to *outlaw* the late king, when he forbade their Assemblies, were now so reduced and baffled by the English army, that they would have *dissolved any of their conventions at the command of a corporal*! Nor were the nobility and gentry permitted to wear swords, to ride on a horse of value, to prosecute their old animosities among themselves, nor to exercise any arbitrary and violent practices towards their inferiors and servants." Under his equitable command peace was universal, and its effects, trade and prosperity; for his army was punctually paid from the forced contributions on the inhabitants, "so that the soldiers being well paid were enabled to discharge their quarters duly, and the money did so universally circulate through the country, that there was never known so much ready coin in Scotland, as during general Monk's command there. He had formed his army to a very exact discipline, so that nothing was more rare than to hear of any mutinies among themselves, or depredations on the people. Insomuch, that though Monk continued among them to secure their subjection, yet they had a great opinion of his generosity and justice; and so much kindness for his soldiers, during a long and peaceable neighbourhood together, that they looked upon them no otherwise than as natives of the place, or a part of their country; and as guardians rather of their safety and liberty, than instruments of their servitude and subjection¹."

1656.—Through his intimacy with lord Broghill, Mr. Sharp

¹ Dr. Skinner's *Life of General Monk, Duke of Albemarle*, by the Rev. W. Webster, M.A., Curate of St. Dunstan's in the West, pp. 64, 65-69.

was appointed a professor in the old college of St. Andrews, and, Baillie adds, "I am glad he is in it or any other, where he is contented; for indeed he is *the most serviceable man our church now has*: but I am not yet satisfied of his accepting of that place on the English command¹." Division and contention increased, and the remonstrators made another effort to establish their commission of the kirk, "to purge and plant all Scotland, with the English allowance to them, as the godly party, one of the vilest, most shameful, and tyrannical tricks that ever was heard of in any church in any time." To prevent their success, the resolutioners sent up Mr. Sharp in company with lord Broghill with instructions to give Cromwell a right impression of the disposition and of the intention of the kirk to live peaceably and inoffensively under the present government—to clear and make manifest the groundless arrogancy of the remonstrators in assuming to themselves the name of the godly party of the ministry; and that the aspersion of insufficiency, scandalousness, and corruption, cast by them upon the generality of the resolutioner ministry, is most uncharitable, unjust, and false. To desire that the government of the kirk be allowed to run in Assemblies, synods, and presbyteries; and the discipline to be permitted to be exercised by the judicatures of the kirk according to the order therein established². How subdued, calm, and rational the moderate party now appear before the mighty conqueror, and how different their attitude now to what they assumed with their sovereign of conceding memory, when they appeared before him with a *remonstrance* in one hand, and the *sword* in the other!

THE REMONSTRATORS also sent up the fierce and intractable Guthrie, who had cursed the king to his face, with the following instructions:—"1. That your highness will please to give warrant for a commission to be issued to such persons of ability and *soundness*, who understand the affairs of the kirk, as your highness shall think fit, who may have and exercise the power which was heretofore in the commission of the plantation of kirks in that nation: and that the said commissioners may be authorised and required to dispose of the public *maintenance* according to the rules and acts of uncontroverted Assemblies of the church and laws of that land before the year 1651. 2. That a particular visitation may be, consisting of an equal number of both judgments, of approved godliness and zeal for the work of reformation: whereof the one half to be agreed

Baillie's Letters, iii. 316.

Ibid. iii. 324, App. 568, 572.

upon by those who are for the public resolutions, and the other half by the remonstrators, for planting and purging of ministers and elders, and for composing of present and future divisions in presbyteries and congregations. 3. That there be also a general committee of delegates from the several synods, of an equal number of both judgments . . . without whose previous advice and consent the respective synods may not reverse any thing done by the aforesaid visitations ¹."

1657.—CROMWELL gave the antagonist parties an audience, and became so impatient at the length of Guthrie's speech, that it was with some difficulty that lord Broghill prevailed on him to listen to the other's reply. Mr. Sharp then adroitly turned Guthrie's arguments against himself, and gave such a rational account of the resolutioners and their principles, that the protector was satisfied that they were the most worthy of his support. This dexterous defeat of the remonstrators' designs so rankled in Guthrie's breast, from which it was transferred to the whole faction, that it laid the foundation of that most unchristian and atrocious enmity which they have ever since entertained towards Mr. Sharp ². Baillie communicated to Mr. Ashe the distress that his party suffered from the exorbitant ambition of the remonstrators; and said they had sent up to the protector their three grand leaders, "to supplicate for a liberty to oppress our poor church, contrary to all reason, conscience, and law. . . . Our brethren finding that Mr. Sharp's representations *had marred all* they thought to have obtained, by letters and by their Independent agents, they have openly sent up the chief of their party to desire by the great favour they have themselves every one of them with the protector, and divers about him, a commission to do by force what we could not yield to them with our consent. Their great plea will be, that the government of our corrupt church should be put into the hands of them who are the godly party, till the church be well purged. . . . This much I thought fit to signify to you, and a few which you and Mr. Calamy think meet to acquaint with it. Mr. Sharp can fully and will faithfully report the truth of every particular. . . . Our distress now is great, we desire your compassion, your prayers to God for us, and your countenance to our cause, when you know it may profit us and not hurt yourselves. . . . If, by your countenance and counsel to Mr. Sharp, or by your dealings with your friends about the

¹ Baillie's Letters—Appendix, 573.

² Author's Life of Archbishop Sharp, 12-14.

protector, you can help to keep this very dangerous storm from us, you shall do an acceptable service to God, and a great good deed to our groaning church¹."

BAILLIE REPRESENTS the state of the kirk to be one of "most imminent danger," "to be pitifully oppressed and enslaved to a few of our brethen, who have long vexed us with their causeless divisions," and who "have flatly refused" the resolutioners' offers of peace but upon new and unreasonable terms, viz. that the remonstrators should "be freed from all subordination to our presbyteries and synods till they were newly constituted and purged;" and that the whole jurisdiction should be placed in a committee, of an equal number of both the parties, well knowing that the moderates would not act with them, which would throw the whole government into the hands of the remonstrators, and their first proposition would have been the complete subversion of presbyterianism. In his letter to Mr. Sharp, when sent to treat with Cromwell, Baillie said that "he had need of a long spoon;"—"He should have a long shafted spoon that sups kail [broth] with the devil." The conduct of both parties in the dispute about the plantation of churches shews how great a cheat the abolition of patronage was upon the people; for it only passed from the patron's hands into those of either of the two factions, but never reached the free election of the parishoners. Supremacy was the object of the remonstrators, and of their appeal to the head of the kirk; but Mr. Sharp's abilities were so well directed that their whole scheme was defeated, and he says, in one of his letters to Mr. Baillie, "I know not what the faction with you do brag; but believe it, their cause of bragging is more slender since Warriston's removing from London, than it was²."

1658.—THE CONTENTION of Gillespie, Guthrie, Warriston, and others of their faction, was intolerable to the moderate party; but Mr. Sharp's negociations at London relieved them from a persecution of which they had some well-grounded fears. "Our church has been pretty quiet, our troubling remonstrants not having yet prevailed with the English to get authority from them to exercise their tyranny amongst us. The great instrument of God to cross their evil designs has been that *very worthy, pious, wise, and diligent young man, Mr. James Sharp*, . . . we blessed God, that by Mr. Sharp's labours, was kept off us for a time, a much feared storm." Although the faction missed their aim of gaining the mastery over their adversaries, yet Gillespie obtained for the college of Glasgow "all

¹ Baillie's Letters, iii. 329, 336.

² Ibid. *pass'im*.

the benefices of the *whole chapter of the diocese* of Glasgow, also the abbacy of Crosraguel, and sundry other things which, *jure devoluto*, fell in the protector's power¹. "Our church," says Baillie, "lies as it did; the representation printed by Mr. Sharp at London, they [the remonstrants] durst never essay to answer; but our new desires of peace they answered a piece of it, with a bitter pamphlet. . . . It is very like the end of this obstinate difference will be a *formal separation*; the sooner the better for the kirk; for they abide among us only to increase their party; and if they were formally separate, they could do us the less harm. The country lies very quiet; it is exceedingly poor. Our noble families are almost gone; Lennox has little in Scotland unsold; Hamilton's estate is sold; Argyle can pay little annual rent for 7 or 800,000 merks; and *he is no more drowned in debt than in PUBLIC HATRED* almost of all, both Scottish and English; the Gordons are gone; the Douglasses little better; Eglinton and Glencairn on the brink of breaking [*i. e.* bankruptcy]; many of our chief families' estates are cracking; nor is there any appearance of any human relief for the time²."

THESE, THEN, are the temporal effects of the extirpation of the church—rebellion, regicide, sacrilege, religious contention and anarchy! But at this time of rebuke and blasphemy, God remembered mercy, and removed that scourge whom He had raised up to punish and purify his church, and gave to Scotland one more trial of faith and patience, whether or not she was worthy of having the sacred deposit of the truth again committed to its pillar and ground—THE CHURCH. The church is the pillar and ground of the Truth, to teach, support, and preserve it by that sword of the spirit and that spiritual authority which Christ committed to the apostles and to their successors. We have seen what contentions and strugglings among individuals and factions for tyrannical power over their fellow servants, and what schisms and divisions followed the extirpation of the church in Scotland; and in England what swarms of heresies arose like locusts out of the bottomless pit, that darkened the whole land; no less than four score different sects, all hating and abusing each other, to the entire exclusion of charity, the very bond of peace and of all virtue.

IT IS SOMEWHAT SINGULAR that Cromwell died on the anniversary of the battles of Worcester and Dunbar, which had opened his way to supreme power. Dr. Bates, a physician, was called to the protector's rescue when he was in arrest of death, and

¹ Baillie's *Letters*, iii. 352, 356, 362.

² *Ibid.* iii. 352, 362, 356, 387.

he says that he was in the greatest mental agonies, often started, and asked if the attendants saw any thing; and Baillie says he "cried out of the devil and a northern army." At length, in his distress he called for his chaplains, and the first question he asked them was—"if there was any *falling* from grace?" To which, true to the Calvinistic doctrine, they answered *there was not*; then, said he, *I am safe!* This is a short and easy way of quieting men's consciences, of removing the undying worm, and extinguishing the unquenchable fire; for Oliver depended on the supposition that he must at some time or other have had divine grace, and in that case his hypocrisy, regicide, usurpation, and the devastation of three kingdoms, could do him no hurt in that outer darkness into which he was about to plunge. But "God sees no sin in the elect;" and the Westminster Confession says, "they whom God hath accepted in his beloved, effectually called and sanctified by his Spirit, *can neither totally nor finally fall away from the state of grace*; but shall *certainly persevere* therein to the end, and be *eternally saved*;" and the Catechism teaches the dangerous doctrine to youth that "true believers, by reason of the unchangeable love of God, and his decree and covenant to give them perseverance, their inseparable union with Christ, his continual intercession for them, and the Spirit and seed of God abiding in them, *can neither totally nor finally fall away from the state of grace*, but are kept by the power of God through faith unto salvation¹." When Cromwell's chaplains were praying just before his death, Goodwin used these words—"Lord, we pray not for thy servant's life, for we know that is granted; but to haste his health, for that thy people cannot want." And after his death Mr. Storry said, "O Lord, thy late servant here *is now at thy right hand, making intercession for the sins of England!*" "His burial was large as magnifick as any king of England²." And bishop Burnet says that Dr. Tillotson told him that Goodwin had the audacity to say in a prayer—"THOU hast deceived us, and we were deceived," by the death of the protector: and that in praying for Richard, Storry used these blasphemous words—"Make him the brightness of his Father's glory, and the express image of his person³!"

1659.—On the death of the protector, his son, Richard Cromwell, succeeded; and was proclaimed at Edinburgh, "but with so cold and indifferent ceremony, both in the people and the English army, that it seemed rather an act of obedience

¹ West. Conf. Faith, cap. xviii. sect. 1. Larger Catechism, ques. 79.

² Baillie's Letters, iii. 425.

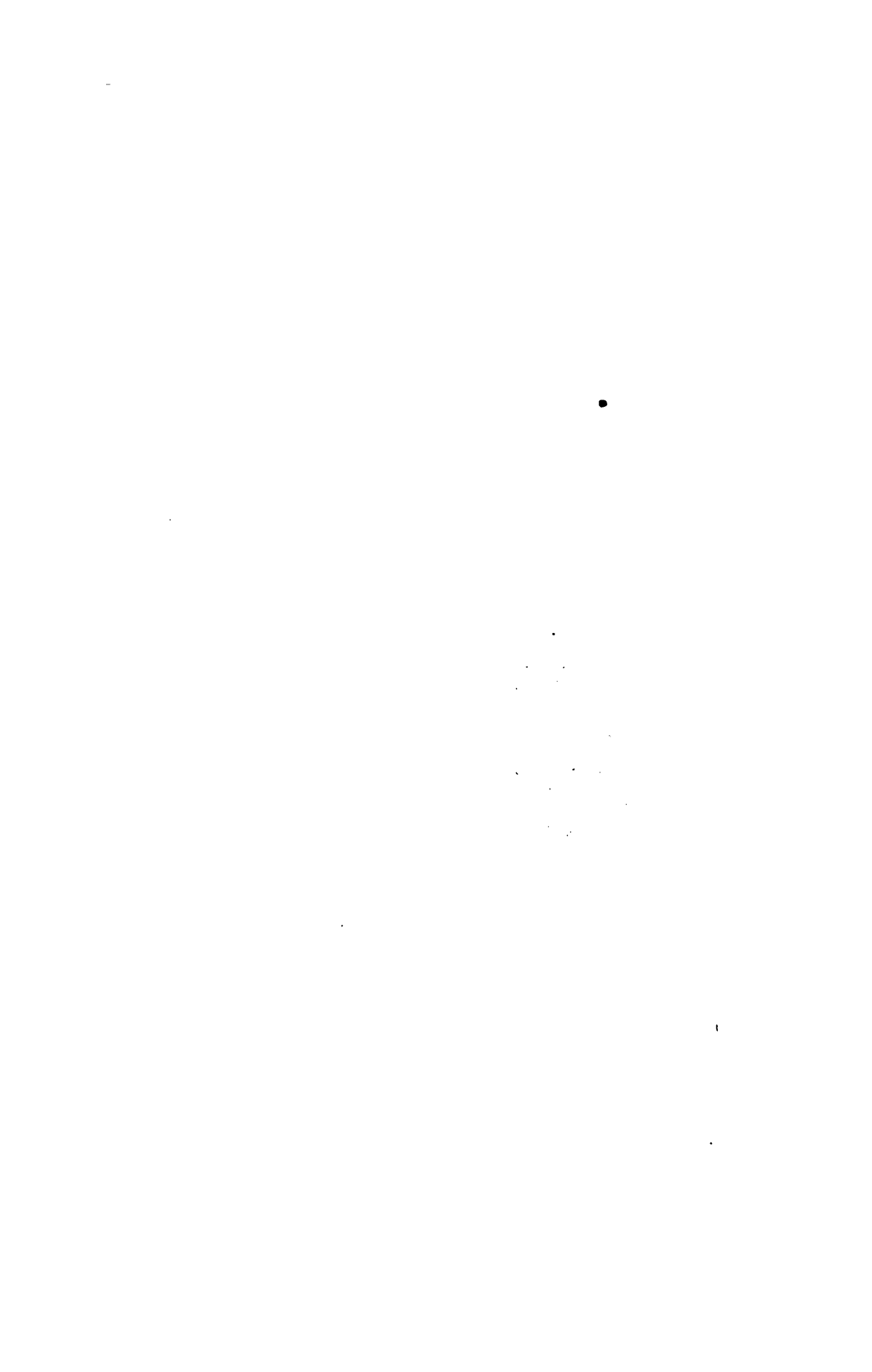
³ Burnet's Own Times, i. 161, ed. 1838.

than affection¹." Being a weak, good sort of man, he did not long retain the seat of power, and in a few months he resigned it, and retired to a private station, in which he lived to the patriarchal age of 90, having witnessed the Restoration and the Revolution. The Rump revived and drew up an oath for abjuring the king; but they in their turn were overthrown by Lambert and Fleetwood, who instituted a committee of safety. In the meantime the king published a declaration at Breda, in which he says,—“Because the passions and uncharitableness of the times have produced several opinions in religion, by which men are engaged in parties and animosities against each other; which, when they shall hereafter unite in a freedom of conversation, will be composed or better understood; we do declare a liberty to tender consciences, and that no man shall be disquieted or called in question for differences of opinion in matters of religion, *which do not disturb the PEACE of the kingdom*; and that we shall be ready to consent to such an act of parliament, as upon mature deliberation, shall be offered to us, for the full granting that indulgence.”

In a synod held at Glasgow, the remonstrators, with the synods of Dumfries, Galloway, and Argyle, which were all governed by the same party, formed the design of sending up a petition to the new Protector and Rump against toleration. The other party partly agreed with them, but not to the full extent of the remonstrator screw, which would have terminated in an unreasonable persecution of the episcopalians and sectaries, as they called the independents. A General Assembly was earnestly desired, and it was supposed that Mr. Sharp could easily have obtained it had he been on the spot; but he had returned to his parochial duties at Crail.

1660.—MONK maintained an impenetrable mystery as to the side he intended to take at this period, and probably was guided in some measure by the course of events rather than by any settled determination at first of his own mind. He entered into negotiations with the committee of safety, of which Warriston was one, and amused the king's agents without giving them decided hopes of his support. He summoned a convention of the estates to meet at Edinburgh, telling them “he had a call from God and man to march into England to settle the peace there;” and required them to provide money for the subsistence of his troops, and to keep the peace of their own country in his absence. The earl of Glencairn and several others pressed Monk to declare for a free parliament, which

¹ Skinner's Life of Monk, 75.





THE AUTHOR'S

*From an original Painted by the celebrated Sir Peter Paul
Rubens, for George, Duke of Devon.*

LONDON: Printed by W. Baskin, 1724.

was equivalent to recalling the king; but although he made no reply to this advice, yet he afterwards owned that it encouraged him to prosecute the design which he contemplated and so happily effected. He began his march on the 18th of November, but in consequence of Lambert's army occupying Newcastle, he halted at Coldstream, and despatched a messenger to Crail for Mr. Sharp, to whom he communicated his intention of restoring the king, and explained to him the peculiar difficulties with which he was surrounded, from the superior force and better position of Lambert, and from the doubtful fidelity of his own officers. His own chaplain, Dr. Price, urged him to declare for the king, and to effect his restoration, to which he replied ambiguously, "that he very well knew what he [Dr. Price] would have, nor should he be wanting therein, so soon as he could find himself in a capacity for effecting it; of which he had now somewhat more hopes than formerly. And then kindly taking Dr. Price by the hand, very solemnly and devoutly told him, '*By God's grace I will do it*'.¹" Mr. Sharp then drew up a declaration, which Monk adopted and signed, in which he explained his reasons for marching to establish the freedom of parliament, but without alluding to the king or his interests. It was read the next day at the head of his own army, and confirmed them in their wavering duty to their commander; it was afterwards printed and dispersed, when it soon reached Lambert's head-quarters, and caused his men to desert in great numbers and to join Monk's army. Baillie says, "Wherever he came he was received as an angel; bells and bonfires welcomed him. All declared their earnest desires for a free parliament, and gave him great encouragement to procure it: he was civil to all, but reserved himself to see further. Mr. Douglas and Mr. Sharp had been free with him in Scotland; on his letter, Mr. Sharp followed him and overtook him. So soon as he reached London, he was to him *the most wise, faithful, and happy councillor he had*; and if it had not been for God's assistance to Mr. Sharp, Monk was divers times on the point of being circumvented, or of himself to have yielded to destructive counsels²." Monk reached London on the 4th of February, and restored the secluded members, and compelled the Rump to declare a period to their sitting, and to make room for a free parliament, which was summoned for the 25th of April, and which was a prelude to the Restoration.

Mr. Sharp returned to Crail, after having drawn up Monk's manifesto. Messrs. Dickson and Douglas wrote a joint letter

¹ Dr. Skinner's *Life of Monk*, 176.

Baillie's *Letters*, iii. 440.

to the general, expressing their entire confidence in him, and suggesting to him the propriety of having a confidential person near him, with whom to advise respecting Scottish affairs. For this purpose they recommended Mr. Sharp, and requested that he would send a passport to enable him to join him. Monk replied that he had already anticipated their wishes, and had sent a passport for Mr. Sharp, whom he wished to join him as soon as possible, when he promised to shew them how friendly he was towards their church. This letter was dated at Ferrybridge, the 16th of January; and upon the 6th of February, six of the resolutioner ministers met at Edinburgh, and drew up a set of instructions for Sharp before he set out on his journey, by which it would appear that *toleration* for the religious opinions of others made no part of the system which they were desirous of constructing for themselves¹.

There appears nothing whatever in Mr. Sharp's subsequent conduct, or correspondence, to shew that he violated any of these instructions, except it be in the matter of *toleration*. Mr. Douglass, and all who were of his opinions, were allowed that full toleration which they so earnestly represented as *sinful and offensive*, when granted to others. Mr. Sharp did not recommend intolerance, even when he had a favourable opportunity against his political enemies, the remonstrators. When the king asked his advice at Breda, how to act towards that party, Mr.

¹ 1. You are to use your utmost endeavours that the kirk of Scotland may, without interruption or encroachment, enjoy the freedom and privileges of her established judicatures, ratified by the laws of the land.

2. Whereas, by the *lax toleration* which is established, a door is opened to a very many gross errors and loose practices in this church; you shall therefore use all lawful and prudent means to represent the *sinfulness and offensiveness thereof*, that it may be timeously remedied.

3. You are to represent the prejudice this church doth suffer by the interverting of the vaking stipends, which by law were dedicated to pious uses; and seriously endeavour, that hereafter vaking stipends may be intromitted with by presbyteries, and such as shall be warranted by them, and no others, to be disposed of and applied to pious uses by presbyteries, according to the 20th act of the parliament, 1644.

4. You are to endeavour, that ministers lawfully called, and admitted by presbyteries to the ministry, may have the benefit of the 39th act of the parliament, entituled, act anent abolishing patronages, for obtaining summarily, upon the act of their admission, decreet, and letters conform, and other executorial, to the effect they may get the right and possession of their stipends, and other benefits, without any other address or trouble.

5. If you find that there will be any commission appointed in this nation for settling and augmenting of ministers' stipends, then you are to use your utmost endeavours to have faithful men, well affected to the interests of Christ in this church, employed therein.

(Signed)

MR. DAVID DICKSON,

MR. JOHN SMITH,

MR. ROBERT DOUGLASS,

MR. GEORGE HUTCHISON,

MR. JAMES WOOD,

MR. ANDREW KER.

Sharp replied, "Though it be not fit that your majesty should give them countenance, or put *power* into their hands, yet, I think, *we will all be suitors* to your majesty, that pity and *pardon* may be their measure." It is, however, to be remarked, that these six ministers who met and drew up these instructions were neither a general assembly nor a synod of the church, nor had they any commission to act in the name of the whole church, or even of the presbyterians, as a body. They were not even sanctioned by any synod or presbytery, at that time or afterwards. These instructions can therefore be considered only as containing the private opinions of these six gentlemen. They wrote at the same time to general Monk, that "though it be not their way to intermeddle with civil affairs, yet the miseries of the sinking nation make them humbly request his lordship may endeavour to ease them of their grievances." Here is a contradiction to their conduct during the previous twenty years; for the presbyterians had "intermeddled" in every political transaction, though they felt it now convenient to disclaim it.

Baillie wrote to Sharp on the 16th of April, expressive of his confidence in him, and said, "If it please God to work out this wonder, His own only work, marvellous in our eyes, and more in the eyes of the posterity, to bring home our sweet prince in peace, I think in this case the *greatest pull* will be about episcopacy." He then suggested to him "in this great difficulty," to set a number of persons to select and write out passages from all the illustrious writers of that age, such as Taylor, Hammond, and Bramhall, for, "if shortly and plainly their present tenets, beside books and bishops, were put in the text, and the proofs in the margins in their own words, I think it might prove a notable mean, by God's blessing, either totally to withdraw the heart of the king from them, and the heart of a *potent party* they have, I doubt not, in England still, or, at least, to allay and cool all honest protestants. Their humour is exceedingly bitter and high even in their late writings, not only against the covenant and all presbyterians, but the reformers abroad: they are most express and bitter for all arminianism, for the far most of popery, as much as Grotius maintains." Such were the means which even the moderate presbyterians employed; and the remonstrants were "plotting new divisions," and this, too, when "the ashes of our former ruin are yet smoking, we are scarce begun to peep out from under that rubbish whither the coal of our former *remediless divisions*, and it alone, did lately bring us: if so soon these begin again to bestir it, *we are worse than mad*. No man I know fitter than you to keep those two men [the earls of Craw-

ford and Lauderdale] together, in spite of the devil; see to it, as God shall be pleased to help you." The remonstrators' "study is to fill the people with fears of bishops, books, destroying of the covenant, setting up of profanity; and hereupon presses privy meetings as in a time most necessary¹."

The accession of the secluded members (73 in number), made a majority over the Rump, which consisted of only 18, and then they passed an ordinance to annul the Engagement of 1649, and to repeal the oath of abjuration of Charles Stuart; they agreed to a bill for the approbation of public ministers—declared the Westminster Confession of Faith, the confession of the church of England—and ordered the Solemn League and Covenant to be reprinted and hung up in every church in England, and to be publicly read by the minister once every year. Before their dissolution they issued writs for a new parliament to meet on the 25th of April; the members of which were to give a written declaration "that the war against the late king was just and lawful." After this abortive attempt to leave a legacy of contention behind them, the LONG PARLIAMENT passed an act for their own dissolution, after they had sat nineteen years, four months, and thirteen days. Mr. Sharp had great influence with both Monk and the earl of Manchester, and he obtained the release of Lauderdale, Crawford, and his other countrymen, who had lain in the Tower since the fatal battle of Worcester. Dr. Wren, the aged bishop of Ely, whom Baillie terms "the worst bishop of our age after Dr. Laud²," was also set at liberty after an imprisonment of five years. The old traitor, Warriston, with rat-like sagacity, foreseeing the fall of the Rump-government, applied to Sharp, and begged that he would procure a personal pardon for him; but which Sharp very properly declined, for he was a chief instrument both in exciting and continuing all the late troubles, and this refusal was *one of the causes* of that hatred which Warriston's nephew, bishop Burnet, ever afterwards bore to archbishop Sharp. He recommended that a commission should be sent up to Crawford and Lauderdale to empower them to act as a Scottish committee in London during this sort of interregnum; but which was never complied with.

General Monk's proceedings belong rather to a general than to an ecclesiastical history; and therefore I shall pass over all that part of his interesting movements, and only state that Monk used great caution, and would not allow sir John Greenville, the king's agent, to approach his lodgings, but gave him the

¹ Baillie's Letters, iii. 400-404.

² Letters, iii. 495.—Life of Monk, 245.

meeting at the house of a third party, a Mr. Morrice, in Covent Garden, where, unable to conceal his emotions, he assured Greenville of his determination to restore the king, but explained his difficulties, which his biographer says should "be noted with the point of a diamond." At a second meeting, Monk brought sir John his instructions, in writing, to the effect—"That since by the long civil war and change of government, the minds of the soldiers in general, and a great part of the people, would be alarmed with the apprehension of his majesty's return, it was his humble advice that he would be graciously pleased to proclaim his free and general pardon to all his subjects, except to such as the parliament should esteem incapable of it. That he would prepare the minds of the army by declaring his readiness to consent to such acts as should secure the public sales and dispositions of lands, and the payment also of their arrears. And because nothing was more likely to run the people into frenzies than the fear of restraint of their several religions, he did further beseech his majesty to declare his assent for a toleration and liberty of conscience to all his subjects, who should so employ it as not to give any disturbance to the civil government. He was also instructed to request his majesty to retire from the dominions of the king of Spain into some convenient place belonging to the states of the United Provinces, where, with more freedom and security to his person, he might treat further with his parliament and people. And, lastly, Monk strictly cautioned sir John not to give his majesty any interruption, by offering any proposals to him for the reward of his service."

Sir John Greenville departed secretly from London, and embarked at Dover for Ostend. When he arrived at Brussels the lord Mordaunt, who had travelled with him, went straight to the king and informed his majesty of sir John's arrival. The king suspected that he had important news to communicate, from the fact of his coming to court; so his majesty went alone that night to sir John's lodgings: he received Monk's advice, and was satisfied of his sincerity in his favour. The king took the marquis of Ormond, the lord chancellor Hyde, and sir Edward Nicholas, into his councils; and as he now saw some rational prospect of a restoration to the throne of his ancestors, he adopted Monk's advice, removed from Brussels to Breda, where he established his court, and framed a declaration embodying all the points which the general had recommended¹.

Mr. Sharp soon found, from his intimacy with Monk, and

¹ Skinner's *Life of Monk*, pp. 273-378.

from the current of public opinion at London, that the church of England would be restored in all its former strength and beauty; he therefore shewed his friends at home, in his letter, dated March, that along with the king "moderate episcopacy, at the least, will take place here. The good party are doing what they can to keep the covenant interest on; but I fear there will be much ado to have it so. They *dare not press* the voting for presbyterian government, *lest it bar them* from being elected next parliament¹." This is powerful evidence of how the public mind in England was affected towards the church; and he informed Douglas "that the *sectarian* interest is on the *waning hand*, and moderate *episcopacy* is setting up its head." Douglas pressed Sharp to agree to the king's restoration only on "*covenant terms*;" that is, that the king should be restored to the imperial throne, upon the same conditions and under similar bondage as he had suffered during the short period of his inglorious reign in Scotland. Douglas would listen to no other terms; and applied to Lauderdale, reminding him of his own sworn obligations to that instrument; but the covenant now stank in the nostrils of all reasonable men, and as for the king he had had sufficient experience of its fruits when he was in Scotland. But even in its birth-place there had a complete reaction taken place, for Douglas says, "*you will not believe what a heart-hatred they bear to the covenant, and how they fret that the parliament should have revived it. What can be expected but the pursuing the old malignant design, to the marring and defacing of the work of reformation settled here, and well advanced in the neighbour nations? I am informed that those are to have a meeting here on the 5th of April, and have no purpose to wait for a warrant, but go on with such an election as will be dissatisfying to the sober and well-affected of the nation. . . . There are three parties here who have all of them their own fears in this great crisis: the remonstrators fear that the king comes in [at all]: those above mentioned, that if he come in upon covenant terms, they be disappointed; and those who love religion and the nation, that if he come not in upon the terms of the league and covenant, his coming in will be disadvantageous to the religion and liberty of the three nations. Therefore I exhort Crawford, Lauderdale, and yourself, to deal with all earnestness that the league and covenant be settled as the *only basis* of the security and happiness of these nations.*"

Before the extirpation of the Rump, they had appointed a

¹ Wodrow's Introduction, i. p. 8.

new set of judges and other officers for the government of Scotland; but Sharp's influence with Monk prevented the confirmation of their appointment. Both Monk and Sharp agreed that a Scotch committee sitting in London would rather embarrass the king's affairs than forward his restoration. In a letter to Lauderdale, Baillie says, he is "wounded to the heart" at the news from London, and asks in alarm—"Is the service-book read in the king's chapel? Has the bishop of Ely, the worst bishop of our age after Dr. Laud, preached there? Has the House of Lords passed an order for the service-book? Oh! where are we so soon? The granting to us in Scotland the confirmation of what we have, brings us just back to James Graham's [the marquis of Montrose] times. Is our covenant with England turned to Harry Martin's Almanac? Is the solemn oath of the Lords and Commons assembled in parliament, subscribed so oft by their hands *to eradicate bishops*, turned all to wind? . . . It is a scorn to tell us of *moderate* episcopacy, a moderate papacy! the world knows that bishops and popes could never keep caveats¹."

It does not appear that Lauderdale ever answered this letter; but Mr. Sharp, in almost all of his letters, even as they are garbled by Wodrow, assured his correspondents that there was not the most remote chance of the English nation ever suffering the league and covenant to be again forced upon it at the point of the bayonet; and that episcopacy would certainly be re-established there, for "the buz is loud enough—'*no bishop no king*.'" The gross and indefensible insult offered to the king by the presbyterians, in compelling him to sign the Dumfermline Declaration, in which he was made to uncover his father's skirt, gave deep offence to English churchmen, and no doubt sharpened the king's own dislike to a religion which he declared was "not fit for a gentleman." Mr. Sharp informed Douglas, "some of the English episcopal party have sent messages to me twice or thrice to give them a meeting, which I have refused; and upon this I am reported both here and at Brussels to be a Scottish rigid presbyterian, making it my work to have it settled here. They sent to desire me to move nothing in prejudice of the church of England, and they would do nothing in prejudice of our church. . . . The *fear of rigid presbytery* is talked much of here by all parties; but for my part, I apprehend *no ground for it*; I am afraid that *something else* is likely to take place in the church than rigid presbytery." Douglas was of opinion that Mr. Sharp ought to have met the

¹ Letters, iii. 405.

episcopalians; and he proposed that which in Scotland his party have ever since so severely censured Charles for acting on; namely, "*to leave the ecclesiastical government to the parliament*, who, as it is to be hoped being men of conscience, will find themselves bound to settle according to the covenant;" but, alas! for that engine of extirpation, the majority of the new parliament were royalists, and consequently churchmen. On the 29th of March, Douglas enclosed to Mr. Sharp a long paper, in which he wishes to dictate terms to the English parliament, for settling the civil and ecclesiastical government of the empire; he is indifferent whether the former should be a republic or a monarchy, but he has no hesitation in declaring for "*rigid presbytery*" for the latter, as being, he says, "most agreeable to the word of God, and being thereto obliged by their national covenant, and by the Solemn League and Covenant Though there may be some in England for episcopacy, and some for other forms, yet presbyterial government *ought to be* pitched upon for these reasons,—1, episcopacy and other forms are *men's devices*, but presbyterial government is a *divine ordinance*; 2, the three nations are *tied by* the League and Covenant to endeavour the *extirpation of prelacy*¹." Mr. Sharp assured this tenacious covenanter, "I fear the interest of the Solemn League and Covenant shall be neglected; and for religion, I smell that moderate episcopacy is the fairest accommodation which moderate men, who wish well to religion, expect." Douglas again wrote, under date 26th of April, and represented the evils which he apprehended would result from the establishment of episcopacy. He concludes his lamentations with the following remarkable acknowledgment of the public feeling of Scotland upon the subject of the church,—"*Whatever kirk government be settled there [in England] it will have an influence on this country; for the generality of this new upstart generation have no love to presbyterial government; but are wearied of that yoke, feeding themselves with the fancy of EPISCOPACY, or moderate episcopacy.* Our desire is, that presbyterial government be settled; if not, we shall be free of any accession to the breach of a sworn covenant²," for the extirpation of the church.

The provincial synods in Scotland met generally on the 1st of May; and the mutual fears of the remonstrators and resolutions produced a greater degree of harmony betwixt them than had ever before subsisted. Mr. Douglas preached before the synod of Lothian, from 1 Cor. iv. 1, wherein he made a

¹ Wodrow's Introduction, i. 13-16.

² Ibid. i. 21.

most violent attack upon that episcopacy which he had so recently admitted was so much desired by the people, "for," he said, "it is a plant which God never planted, and the ladder whereby *antichrist* mounted his throne. . . . Kingly government in the state, and presbyterian in the church, are the greatest curbs to profaneness," and "so confuted the foolish proposition, 'no bishop no king!'" The king was proclaimed at London on the 4th, and at Edinburgh on the 14th of May; when many went over to Holland to worship the rising sun. Monk sent Mr. Sharp over in a frigate, and he arrived at Breda on the 8th of May, where he was introduced to the king by the marquis of Ormond; and the following morning at nine o'clock had an audience of his majesty in his bed-room. Burnet says the earl of Glencairn gave him a letter to the lord chancellor Clarendon, "recommending him as the only person capable to manage the design of setting up episcopacy in Scotland; upon which he was received into great confidence¹." In the evening his majesty walked with him for an hour and a half in the garden, conversing on Scottish affairs; an account of which he communicated by letter to Mr. Douglas on his return to London, dated the 29th of May².

¹ Burnet's Own Times, i. 166.

² "London, 29th May, 1660.

* "Reverend Sir,—Yours, that of May 22d, and of the 8th, with other letters, I received; and by the last Saturday's post I could only give you notice of my safe return to London. General Monk gave the occasion for my journey to Holland, and I did observe a Providence in it, that his motion did tryst with your desire, which gave me encouragement to follow the Lord's pointing at my going thither, which, for any thing doth yet appear, hath been ordered for good. General Monk's intent for my going was, that I might give his majesty an account of all the passages of his undertaking, from the beginning of it in Scotland, to the progression he hath made at the time of the parliament owning his majesty's title; and that I might acquaint the king how necessary it was to follow the counsels of moderation, in the future management of his affairs: and, 3dly, that I might move his majesty for writing a letter to some of the eminent city ministers, to be by them communicated to the presbyterian ministers throughout the kingdom, intimating his majesty's resolution to bear down profanity, and to countenance religion in the power of it. My own special motive for going was to give a timely information of the condition of poor Scotland, as to the several particulars of which yours of May the 8th doth bear. My thoughts at my going over did run upon divers of these, which digestedly and fully that letter doth mention, and it hath much satisfied me, that upon the perusal of yours at my return, I remember I hit upon some of those you touched. I came very seasonably in the beginning of the growth of the court, and was the *first minister* of the kingdoms who made an address avowedly to the king since his exile; which I did with the more confidence, that having your warrant before my going, I made it in the name of the body of the ministry of the church of Scotland, who had persevered in their integrity and loyalty in all revolutions. I cannot express what welcome I had, and with how kindly an acceptance my application was entertained by his majesty, who was graciously pleased to put such a respective [respectful] usage upon me, all the time I was there, as it was noticed by all at court. I do not

Mr. Douglas seems to have laboured under an invincible hallucination of judgment; for he still kept urging Mr. Sharp

mention this out of a tickling vanity, but as an evidence, amongst others, of our prince's affection to our country and kirk, of which I am abundantly satisfied, though before my going over, he was falsely represented, even to some of the presbyterian judgment, as an enemy and hater of both. He did at Breda, at his [own] table, upon occasion, give his public testimony to the fidelity and loyalty of his kingdom of Scotland, and to me in private, more than once or twice; and I am persuaded, a sweeter and more affectionate prince never a people had. The first time he allowed me to speak to him in private, which was for the space of one hour and a half, I took it up in giving a full account of general Monk's proceedings, and of the activity of those of our nation to improve that opportunity for his majesty's service. The next time he called me to him in the garden, where he caused me to walk with him, almost 200 gentlemen being at his back. Almost two hours were employed in his moving questions, and my answering, about the affairs of the parliament; and in the close somewhat in reference to Scotland, and asking kindly how it was with the ministers who had been in the Tower, and with Mr. Hutchison, Mr. Wood, and Mr. Baillie, of which I gave you some touch in my letter from Breda. The third time he spoke to me (doing it upon every occasion he saw me) was in the princess royal's room, where I was amazed to hear him express such knowledge and remembrance, both as to persons and things relating to Scotland while he was there, as if the passages had been recently acted. He mentioned ministers south and north, and other persons, not forgetting John Boswell, of Kinghorn, and another in Crail, where, he said, himself was provost; asking how it was with them. There was opportunity of speaking of those with whom we have had so much vexation [the protestors or remonstrators], and of the condition of our kirk, and the carriage of honest men in it; and had he not been taken up by the interposing of a lord, come straight from England, I think I had said all was then upon my heart in reference to that matter. After this, the court thronging by multitudes from England, and the crowd of his affairs growing upon him, it was unbecoming for me to press for private conferences; but when he did call to me, which he was pleased to do twice more before his coming from Breda, and both those times, he asked me only about some of his concerns with general Monk, bidding me at the last time meet him at his first coming to the Hague, which was upon May the 15th, [and] wait upon [him], to receive my despatches immediately to England, both as to general Monk, and the letter to the city ministers. When I offered to speak a word in reference to Scotland, he told me he would reserve a full communing about that till his coming to England. And indeed it had been unseasonable and impertinent for me to have urged further, finding the necessity of his affairs in England so urgent: but this I can say, that by all these opportunities I had, in every one of which I did not omit the moving about Scotland, I found his majesty resolved to restore the kingdom to its former civil liberties, and to preserve the settled government of our church; in both which I was bold expressly to move, and had a gracious satisfying answer. Upon the apprehension that I might be sent into England presently upon his majesty's arrival at the Hague, I hastened from Breda by the way of Dort, Amsterdam, Haarlem, and Leyden, to take a transient view of these goodly towns; and came next day after the king to the Hague; about the very time of the reception of the commissioners from the two houses, and the city, to which I was an eye-witness. Dr. Reynold, Mr. Calamy, Dr. Spoistre, Mr. Case, Mr. Manton, were received privately in his bed-chamber. They delivered a letter, signed by above eighty ministers met at Sion College: I am promised a copy thereof, which I shall send unto you (and had done it before this, could they have given me one, because they had left it in the city). They expressed much satisfaction with his majesty's carriage towards them; speaking him to be a prince of a deep knowledge of his own affairs, of singular sweetness and moderation, and great respectiveness towards them; but they were much more satisfied as to these, after they had spoke with

to procure the establishment of *rigid presbyterianism* in England, with the beauty of covenant uniformity, although the latter had repeatedly informed him that it was not in the king's

him, two by two in private, three days after; in so far, as they speak highly to his commendation to all their friends, as a most excellent prince, restored for a public blessing to these nations; and do profess it to be their duty to promote his interest among their people. They have often since said to me, they have no reserve nor hope, but in his majesty's good disposition and clemency. At my coming to the Hague, when I had gone to the lord chancellor, who, by the king's order was to give me my despatches, he desired me to stay so long as the London ministers stayed, telling me he would send by another, the king's pleasure to general Monk. I was ready to lay hold upon this motion, knowing that the king was speedily to go for England, and so kept in company with those ministers, and thereby had occasion to know what may give me ground of a probable conjecture of the tendency of matters, as to the ordering of religion in England. I have much to say of this purpose, which I cannot communicate in this way. At present, I shall only say this, that for me to press uniformity for discipline and government, upon the king and others, I find would be a most disgusting employment, and successful: for, though the king could be induced to be for it, it were not in his power to effectuate it; the two houses of parliament, and the body of this nation, being against it, and, if I may speak what I know, and could demonstrate to you, *it is already past remedying*: I know very few, or none, who desire it, much less appear for it, and whoever do report to you, or believe, that there is a considerable party in England, who have a mind for covenant uniformity, they are mistaken; as you judge by what you write in that of May 8th, if they themselves will not press it, we are free. I see no obligation by covenant, to impose that upon them which they care not for. If you knew at a distance, what I have occasion to know since my coming hither of this matter, I am confident you would not be very urgent on that point. For my part, I shall have no accession to what may cross that uniformity; but I have no freedom to an employment which can have no other effect but the heightening of an odium upon our church, which is obnoxious already to many upon such an account, though I know causelessly. I have heard of your letter to Messrs. Calamy, Ashe, and Manton, which Mr. Ashe only hath seen, Calamy and Manton not being in town: and the rumour goes up and down the city, (I know not if occasion be taken by that letter), that the ministers of Scotland have declared their dissatisfaction that the king is brought in, but upon the terms of the covenant. I am afraid that such rumours are, at this juncture, studiously raised, and I see more and more the need we have of using caution with those here: we have had large experience of *Anglo-rum*, &c., and I have cause to think that we shall have a discovery of it, as much now as ever.

"I shall present your letter to his majesty at the first opportunity, which I think I cannot have till some days pass over, because of the great press upon him at his first entry into Whitehall. God hath done great things for him; I pray He may do great things by him. It hath been observed, that never did any prince enter upon his government with such a general repute and applause. The satisfaction expressed by the Dutch could not be more if he had been their own sovereign: and for England, the expressions of ecstatic joy and universal exultation are admirable. This day, from morning till seven o'clock, I have been a spectator of what the magnificence and gallantry of England could bring forth in testimony of the greatest reception, was, they say, ever given to their kings; the manner whereof you will have by the diurnal; and it hath taken up so much time to me, that the post calling, I have confusedly writ this, and must break off till the next, with commending you to the Lord's grace, who am,

"Yours, &c.,

"JAMES SHARP."

power to effect it, even although he had been so disposed. No man had a better memory than Charles the Second ; and he had neither forgotten the covenant itself, nor its most woeful effects, of which he had bitter experience during his mock royalty in Scotland. The English nation and their representatives in parliament abhorred it as the cause of much of the misery they had endured during the late reign and the protectorate. Charles himself informed Mr. Sharp, and which he communicated to his constituents, " that he was resolved to restore the kingdom to its former civil liberties, and to preserve the settled government of the Scottish church," which had been overturned in the late times of usurpation. The restoration of the liturgy in England seems to have alarmed Douglas even more than the return of the bishops to their suspended authorities ; for it is a depository of catholic doctrine, and a constant witness against heresy, schism, and all calvinistic and unsound private opinions, and consequently has ever been hated and abused by all sectarians. He says, therefore, " if the Lord shall keep them from the service-book and prelacy, and settle religion among them according to the Solemn League and Covenant, we have all we desire, and shall look on it as a gracious return to our prayers in their behalf."

At the period of the restoration, the condition of Scotland was wretched in the extreme ; her treasury was exhausted, and her trade extinct ; and the usurper had doubled her taxes. Johnston, the clerk of the Glasgow Assembly, was made lord Warriston by Cromwell, and called up to his house of peers. He was chairman of his council of state, and chiefly managed Scottish affairs. Argyle sat in the House of Commons as member for Aberdeenshire ; but at the restoration, " slipped away home, with small credit or contentment," for fear of arrestment for debt. " Our church lies as it was, full of grief for inward divisions and outward hazard. . . . Being afraid for Warriston's incessant designs, the brethren of Edinburgh moved Mr. Sharp to go up again and attend his motions. . . . Our town [Glasgow] has been in more peace than formerly : Mr. Gillespie's four months' absence, *want of public judicatories*, has helped to it ; but no good will, in some, is lacking to keep in the fire. . . . The most of our nobles, with very many of our gentry, run up to Whitehall : all were made welcome. Old places were restored to Crawford, Cassillis, and others. No wonder the chancellor's and secretary's places were taken from Loudon and Lothian, and given to Glencairn and Lauderdale ; yet with recompense enough to them both, whom some thought deserved little. . . . For judicatories he appointed the com-

mittee of estates, of the year 1650, to sit down, and the parliament, December 12th. For a commissioner, by our nobles' consent, lest strife should be for it, the lord Middleton, earl of Fettercairn, was nominated, who was not very acceptable to many; especially not keeping the day of the parliament, but causing it to be adjourned to January; yet when he is come down, *his wisdom, sobriety, and moderation*, has been such as makes him better beloved and respected as fit for that great charge, as any other we could have gotten. So far it went very well, to the great joy of us all.¹

On the 2d of June, Mr. Sharp wrote to Douglas, that the use of the liturgy had been spontaneously commenced, and that a motion at Sion House, among the presbyterian ministers, was lost, for a petition to parliament in favour of the Westminster Confession, the Directory for worship, and the presbyterian form of government. And, he adds, "for any observation I can make, the presbyterian cause is *wholly given up and lost*. Some of our countrymen go to the common prayer. All matters are devolved into the hands of the king, in whose power it is to do absolutely what he pleases, in church and state." In another letter, he says, "*The king and the [Scottish] grandees are wholly for episcopacy*. . . . The parliament, when it meets, will make all void since 1639." Of these grandees there were no less than twenty-eight then at court, many of whom had been chiefly embarked with the remonstrators; but who neither individually nor collectively advocated the cause of presbytery; but on the contrary, complied with the reaction which had taken place, and went to church where the liturgy was constantly used in the public service. Mr. Sharp again assured Mr. Douglas that all his efforts were unavailing to set aside the firm determination of the king, and the Scottish noblemen then at court, to re-establish episcopacy in Scotland; and as he could now no longer be of any service to the presbyterian party, he made repeated applications to be allowed to return and resign his commission. The king sent for Mr. Sharp on the 14th of June, and said he would call a General Assembly after the sitting of parliament, and licensed him to return to Scotland, and inform his brethren that as soon as civil affairs were settled, he would send for some of their number; and assured Mr. Sharp that he was perfectly aware of the usage which the moderates had received at the hands of the remonstrators. On the 28th of June, Mr. Sharp wrote to Mr. Douglas, stating how much all parties at court were

¹ Baillie's Letters, iii. 423-466.

disgusted with the Dumfermline Declaration, before mentioned. Mr. Baillie, who had a personal dislike at Gillespie, mentions that man's terror of retribution, for his former domineering sway, and that he had gone with his wife with the tear in her eye to London, that she might implore a pardon for her husband. In this letter Mr. Sharp mentions, "I had it from a sure hand that the other week Gillespie's wife came to the lord Sinclair, and having wept, told him, that the stream against her husband she saw to be so great, as he would be ruined. . . . She shewed him a letter from Mr. Patrick to her, bearing that she might deal with the lord Sinclair, that he would move the king on his behalf, and *know what length his majesty would have him to go to the BRINGING IN EPISCOPACY into Scotland*; and to give all assurance that he would do the king service to the utmost, and *nothing could be enjoined to him for promoting thereof, which he would not most faithfully and vigorously obey and perfect.*" This important fact is also vouched for by Baillie; but it is totally *suppressed* by Wodrow. It, however, shews that Gillespie had either not so learnt Christ as to suffer for Him, or that he retained so much of the Romish origin of his beloved covenant, as to act the hypocrite, and to do what he considered evil that his own ideas of good might ensue, or else to save himself from merited punishment. Mr. Douglas, in his letter of the 3d of July, says, "Some, indeed, make it their work here to possess people with the king's purpose to bring in prelacy into Scotland, which hath necessitate me often in public to vindicate his majesty, and signify he hath never discovered any such purpose, but rather professed the contrary, which hath satisfied honest people here who were discouraged with such apprehensions." "Honest people" just means such as were of the presbyterian persuasion; but not the people in general; for he had said in a previous letter that the *majority* of the nation were joyfully anticipating the restoration of the episcopal church. If it be," he continues, "your mind at court that we should not speak of [establishing] presbyterial government in Scotland, and that our covenant may be kept here, then I hope never to be of it, for we had never more need, *considering the temper of many here*, and of our countrymen with you¹," whose predilection for episcopacy he had formerly confessed. He was informed in return that shortly the cabinet council would settle the ecclesiastical affairs, and that both the king and the Scottish nobility were predisposed to establish episcopacy. Mr. Sharp also said the king

¹ Wodrow, i. 47.



1740

JOHN MANNERS

Duke of Landeville

London: Printed by W. Stansfeld

asked him at Breda, "What should be done with those remonstrators: in my answer I closed with this—'Though it be not fit your majesty should give them countenance, or put power into their hands, yet I think we shall all be suitors to your majesty that they and pardon may be their measure.' The king, with a smile replied unto me, 'were they in your case, they would not allow you such measure.' We have repeatedly found evidences of their malice against us; I pray it may not be charged upon them¹."

Towards the latter end of July the ministerial appointments were made. General Middleton was created an earl, and appointed the lord high commissioner for the ensuing parliament; of whom a contemporary author says, "he was really a man of a manly eloquence as well as aspect; happier in his wit than in his friends, and more pitied after his fall than envied in his prosperity²." The earl of Glencairn was made lord chancellor; the earl of Lauderdale principal secretary of state; and the same author says, "Chancellor Hyde endeavoured to make Lauderdale chancellor, under pretence of rewarding his sufferings, but really to remove him from a constant attendance at court. But Lauderdale foreseeing that he who was possessed of his majesty's ear would govern all, thought fit to reside in London, and so that employment was bestowed on Glencairn, a person who honoured it by his great parts and greater goodness. The earl of Rothes was made president of the council without any competition, and by the joint consent of all the opposite parties; for his youth had as yet suffered him to have no enemies, and the subtlety of his wit obliged all to court his friendship³." The earl of Crawford was appointed lord treasurer; sir John Gilmour president of the court of session; sir Archibald Primrose clerk-register; Mr. John Fletcher the lord advocate. The English judges who had been appointed during the usurpation were deprived of their commissions, and such of the former judges as had been expelled by Cromwell, and were alive, resumed their seats on the bench. A presbyterian author, no ways favourable to Mr. Sharp, although more moderate than the generality of his vituperators, says:—"The king frowned upon the earls of Loudon and Lothian, and artfully evaded all propositions laid before him by Sharp, as agent of the resolutioners, for settling the church government in Scotland while episcopacy was fully

¹ Vide Author's Life and Times of Archbishop Sharp, p. 67.

² Memoirs of the History of Scotland, p. 7.

³ Ibid. p. 8.

established in England. Sharp, in his letters, often reminds his constituents that moderation and forbearance would do them more service than an ill-timed importunity; but *nothing is to be met* with in any of the advices he gave them, that *was not confirmed by after events*; nor can there be *any the least suspicion* that at this time he had betrayed their interests. It is probable, however, that he had so far reconciled himself to episcopacy, that, as the introducing it was *inevitable*, he was willing to accept a bishopric if it was offered him. The other *atrocious charges* against him *are certainly exaggerated*. Sharp, by his letters, appears to be a man of business and address, well fitted for a court, and versed in the management of parties; but he was not a person of such consequence as, either by his compliances or his counsels, to have unhinged the whole frame of church government in Scotland. Charles, notwithstanding his gentle and moderate behaviour, had, from the mortifications he met with in Scotland, conceived a rooted detestation of presbyterianism in all its forms. He was encouraged in this by the earl of Clarendon, who was by principle an episcopalian almost to enthusiasm. The cavalier party (as they were called) in the council, were zealous for the abolition of presbyterianism, and its friends were entirely *passive, if not forward* to obtain friends *by restoring the bishops*. The Scotch lords who were at court, many of whom had been zealous and declared friends to the Covenant, were men of broken fortunes or abandoned principles. Their estates had been dissipated in the late times of confusion, and they sought to repair them by every possible compliance with the court, or rather with the king, who was at this time considered as the absolute sovereign of Scotland, unfettered by any terms, and at liberty to gratify his most inveterate resentments. Upon the whole, therefore, we have *no occasion* to have recourse to the *apostacy and treachery* of Sharp, to account for the re-establishment of episcopacy in Scotland, as it was *an almost inevitable measure* in whatever manner he had acted¹."

The imprudent violence of both the remonstrator and some of the revolutioner ministers, compelled Charles to reinforce his garrisons, and to maintain his standing army in Scotland. Both parties met in their provincial synods, and the impending danger in some degree effected a reconciliation between the two factions; yet they inveighed so bitterly in their sermons against the office of a diocesan bishop, as excited melancholy fears

¹ Guthrie's General History of Scotland, x. 77, 78.

and presages of schism and division, as the episcopal clergy were both numerous and influential. The indecent and unfilial ravings of Douglas in the synod of Lothian, already mentioned, gave great offence, not only to the loyal episcopalians and to the sober presbyterians in Scotland, but to the court and hierarchy of England. Mr. Sharp made ineffectual complaints of this violence; and the king issued a proclamation on the 2d of August, by which, till the meeting of parliament, he placed the government of Scotland in the committee of estates which had been named by himself in the year 1651. Most of the members of this committee had been deeply concerned in forcing upon Charles those shameful mortifications to which he had been then subjected; and now they hastened to wipe off the stain of their former disloyalty by suppressing their former associates and supporters. Of the secretary of state, formerly so violent a presbyterian, Baillie writes: "I was sore afflicted when it was told me, by my neighbour, that Lauderdale went to the chapel [royal] to hear bishops preach, and say Amen to all the service, as much as any about court, and defended his practice *by conscience*. I hope this must be false; if it be so, we are in a hard taking. . . . We have lost a fair game by mere misguiding. A pity but Hyde and some others had been removed from court long before this. That Middleton, a soldier, is to be commissioner of our parliament and assembly, I fear it imports some unpleasant service to be in hand. The remonstrance, the act of the west kirk, the protestation, I abhor as *very base and intolerable* pranks; but God forbid that any should be put to suffer for them, who will play fair in time to come¹."

About the middle of August Mr. Sharp left London, carrying with him a joint letter from the heads of the English presbyterians, "after much belabouring," as he says, in which they assure their Scottish friends that "*the general stream and current is for the old prelacy*;" but there is not a word in the letter which in the most remote degree inculpates Mr. Sharp, or which may give rise to the slightest suspicion of his integrity. He arrived on the 31st of August at Edinburgh, and the next day a meeting of presbytery was held to receive the letter, of which he was the bearer, and to hear Mr. Sharp's report of his proceedings. He then *resigned* the commission which he had received from the six ministers before mentioned; and so satisfied were they with the fairness with which he had conducted

¹ Letters, iii. 409.

the business with which they had entrusted him, and the honest representation which he had given of the disposition of the king and his ministers regarding the ecclesiastical designs on foot, that the *thanks of the presbytery were unanimously voted and presented to him*; Wodrow himself being the evidence¹.

Up to the period of Mr. Sharp's return from court, it is said, Lauderdale was desirous of the establishment of presbytery, and Burnet says (but whose evidence in his *Own Times* must be received with *very great caution*) he stuck firm to it; but he adds, "he told me, the king spoke to him *to let that go*, for it was not a religion for a gentleman. He being a presbyterian, but at the same time resolving to get into the king's confidence, studied to convince the king, by a very subtle method, to keep up presbytery still in Scotland." After detailing this "very subtle method," he says, "I cannot tell whether this was to cover his *zeal for presbytery*, or on design to encourage the king to set up arbitrary government in England²." Burnet so often lies and contradicts himself that he cannot always be trusted. He says his majesty had reluctance to change the government of the Scottish church; but on what principle he should have reluctance is not so easy to conceive, when, in the same page, Burnet tells us that the king *naturally hated presbytery*; which is not at all surprising, considering the effects he had seen flow from it. But not only earl Middleton and Mr. Sharp assured his Majesty that episcopacy was desired by the greater and honest part of the nation, but the privy council also of Scotland, with only one dissentient voice, gave it as their unanimous opinion that it would give the people general satisfaction. The example of the English parliament also, in adhering to the church, must have given the government encouragement in their design of restoring the church of Scotland; so that the king had little to apprehend from giving way to the general stream of public opinion; and if Burnet's assertion be true, that he hated presbytery, he only gratified his own predilections. Though how this hatred can be consistent with that *indifference* of which Burnet also accuses him, is not very easy to reconcile; but he says, the grounds of his majesty's aversion to a change proceeded from that "subtle plan" which Lauderdale had proposed of rendering him absolute, which Burnet thinks the presbyterians were more likely to promote than the episcopalians. But this again is not consistent with the cha-

¹ Wodrow's *History of the Sufferings of the Church of Scotland*, l. 80.

² *Own Times*, l. 197, 198.

racter he gives of the king elsewhere—that he was abandoned to his pleasures, and left the management of affairs to others; for here he represents the king as having been engaged with Lauderdale in deep designs for the establishment of arbitrary power. He also shews that he consulted with Middleton and Mr. Sharp concerning the inclinations of the people, advised with the Scottish council in London, sent down to Scotland for the opinions of his counsellors there, and at last, after weighing all their advices thus given, like a wise and patriotic prince, he took his resolution and firmly carried it into effect¹.

On the 5th of September, Mr. Sharp wrote to Mr. Baillie, from Edinburgh,—“However the affairs of the church of England may be disposed, which I see are tending to episcopacy there, the blame whereof ought not to be laid upon the king, yet we need fear no violation of our settlement here, if the Lord give us to prize our own mercy, and know our duty. I have brought a letter from some city ministers, bearing an account of their late procedure to an accommodation for moderated episcopacy, and the church contests there are swallowed up by those who are for prelacy in the former way, and those who are for a regulated episcopacy. The king, by his declaration, which will be speedily published, will endeavour a composing of these differences until a synod be called. Your noble friend [Lauderdale], who hath sent you the enclosed (however he is represented by some with you), is a fixed friend to the interest of the church of Scotland, and to that cause we have owned: we have cause to bless God that he is put into such a situation by his majesty, wherein he is capacitated to do good offices to our church and honest men in it, for which I am persuaded he will lay himself forth to the utmost².”

In the enclosure, Lauderdale informs Baillie that “the king made no bones” of depriving Gillespie, and appointing another principal for Glasgow College; and hinted that the remonstrators might not expect much favour. There is little doubt that the king himself was firmly determined to restore the church of Scotland to its former efficacy; and Burnet accuses Sharp’s impatience to get into the throne of St. Andrews for preventing the advantage of public opinion accompanying the king’s design. He says, “It would have given a great advantage to the restitution of episcopacy, if a General Assembly had been called, and the two parties had been let loose on one another: that would have shewn the impossibility of maintaining the

¹ Salmon’s Examination of Burnet’s History, i. 484.

² Baillie’s Letters, iii. 410.

government in a parity, and the necessity of settling a superior order over them for keeping them in unity and peace¹." If a free General Assembly had been called, there would have been no doubt of the result, for the great majority of the clergy were episcopalian, and would have carried the restitution of the ancient church without any difficulty; and it might perhaps have averted from that church many of the evils that have subsequently afflicted it.

By a reference to the oath of canonical obedience, it will be seen to what an enormous extent the clergy who had deserted the church and embraced presbyterianism had been guilty of perjury². Every one of them had sworn to obey their respective bishops, and to maintain the then established episcopal church; and such of them as apostatized not only disobeyed their bishops and extirpated the church, but they took another oath, which bound and obliged them to exert their utmost endeavours to extirpate the church of Christ wherever their power could reach. They swore to be "lial and true" to the king; but, on the contrary, they instigated the rebel government to an armed resistance to his lawful authority, and they anathematized all his loyal adherents, and even those of their own body whom a lingering sense of loyalty induced to arm for his rescue; and the principles which they inculcated brought their sovereign to the scaffold. The presbyterian ministers were not only perjured themselves, but they compelled others to commit that fearful crime as a first principle of their religion. Farther than that, they did what Christ himself did not do in the case of the traitor Judas; they excluded every man from partaking of their sacrament who refused so to perjure themselves, or who were loyal to their distressed sovereign. There is no divine commandment for the arbitrary rejection of any one from the Lord's table; a grievous and unrepentant sinner ought to reject himself, as Judas did, but unless he is notoriously known as such, no minister can repel unrepentant sinners from the holy table; Judas and the Corinthian sinners being cases in point.

From the battle of Dunbar till his death, Oliver was the *Head of the kirk*, and exercised a more vigorous executive than either the king or the bishops had ever attempted; his little finger, in short, was thicker than their united loins. It has ever been so; usurpers have always been more tyrannical and arbitrary than the natural and lawful sovereign, and they have also always been better obeyed. Charles was considered a merciless tyrant, because he yielded to all their desires; whereas

¹ Own Times, i. 200.

² Vide *ante*, vol. i. ch. xiii. p. 525.

Oliver was called a saint, although he never suffered them to meet, but dispersed their Assemblies by military force.

The presbyterian discipline consists of a series of courts from parochial to national, kirk sessions, presbyteries, synods, and national assemblies, each of which are indispensable to the working of the system, and, as they say, to the divine institution of presbytery. But Oliver unceremoniously put an entire stop to general assemblies in the year 1653, and there never was another convocation till 1692; and during his headship over the kirk, their provincial synods and presbyteries were not allowed to meet openly; so that in this maimed and mutilated state it is doubtful whether or not presbyterianism was in existence at the Restoration. When any of these courts did meet, it was clandestinely, and in the most secret manner possible; and then the remonstrators and resolutioners had rival synods and communions, like the popes and antipopes of Rome, and the former imitated the latter in the article of cursing and excommunicating each other, and deposing the ministers which the opposite parties inducted. By this means there was a decided and inveterate schism in the presbyterian body, which no establishment could have healed; and now that presbytery is established, the schism exists as invincibly in the middle of the nineteenth century as it did in the days of Guthrie and Gillespie. At the restoration, the kingdom was divided into three distinct and irreconcilable parties; first, the majority of the nation which lay *chiefly* north of the Tay, secretly attached to the episcopal church; second, the moderate presbyterians, called resolutioners, scattered over the dioceses of St. Andrews and Edinburgh, but who were not very numerous; and third, the genuine ultra presbyterians, called remonstrators, who were more numerous than the moderates, and were chiefly in possession of the dioceses of Glasgow, Galloway, and Argyle. Setting aside other and better motives, as a matter of expediency, the episcopalians being more numerous and influential than the moderate presbyterians, it was reasonable to suppose that their claims would meet with more attention than the moderates; and as for the remonstrators, it would have been an act of madness to have established them with their extirpatory covenant in their hand. So that when these things are considered, and with Charles's own personal knowledge of the three parties to guide his choice, it is not by any means surprising to find that he selected the party for establishment which had been supported by his father and grandfather, and who had evinced as much loyalty and attachment to himself as the power and oppression of the presbyterians would permit.

CHAPTER XXVII.

THE RESTORATION.

1660—Argyle arrested.—Proclamation against seditious meetings.—Meeting of the estates.—Meeting of remonstrators—their address—arrested and sent to the Castle and other gaols.—Signs of reaction.—King's letter to the presbytery of Edinburgh.—A parliament summoned.—Death of the duke of Gloucester.—More signs of reaction.—Synod of Lothian's address to the king.—The public records lost at sea.—The regalia restored.—The lord commissioner's arrival—his character.—1661.—Meeting of parliament—the riding—first transactions.—Power of the crown restored.—Acts—declaring the covenant illegal—against jesuits—approving of the "Engagement."—RACISSORY—for the restoration of the church—for keeping the 29th of May—for restoring patronage.—Remarks.—Remonstrators ordered to leave the capital.—Amnesty proposed.—Trial of Argyle—his indictment—execution.—Guthrie's trial—condemned, and executed.—Other remonstrators recant.—Parliament rose.—The king's popularity.—Concluding remarks.

1660.—At the restoration, Argyle's conscience instinctively warned him that his head was in danger for the part he had acted in the late troubles, especially in consenting to the late king's murder. He concealed himself for some time, and applied to his son, who had worn the mask of loyalty, and had served the king, to intercede for him, which he did, but received no satisfactory answer. But his secret uneasiness induced the marquis to venture within the precincts of the court, and lord Lorn begged of the king to admit his father to his presence; instead of which he was immediately arrested and committed to the Tower, and afterwards sent down and committed close prisoner to Edinburgh Castle, on the 20th of December. Warrants were issued for the arrest of Johnston of Warriston, but some friendly hand gave him intimation of it, and he made his escape to the continent: sir James Stuart, late provost, and sir John Chiesley, were arrested. It had been resolved in council that some examples should be made, and Argyle, Warriston, and Guthrie, were selected as the most guilty in their several orders. These arrests alarmed the covenanters, and they began to hold "privy meetings," when the committee of

estates issued a proclamation prohibiting all meetings and conventicles without his majesty's special authority, and against the publication of all seditious papers. Another proclamation ordered Rutherford's "*Lex Rex*," and Guthrie's "*Causes of God's Wrath*," to be suppressed, and these books to be delivered to the solicitor-general under the pain of treason. Another proclamation was issued against leasing-making or spreading false reports betwixt the king and his people, which inferred the pains of treason; and under this head were contained all public declarations against the settlement and hierarchy of the church of England. Still there was no mention whatever made of reviving the Scottish episcopacy. Lauderdale pressed Charles on political grounds to confirm presbyterianism; and he so far succeeded with the king as to persuade him to confirm the Assemblies that met at St. Andrews and Dundee whilst he was in Scotland, and also the Public Resolutions which the moderate party and the episcopalians had entered into for his service.

On the 23d of August, the committee of estates sat down, with the chancellor Glencairn presiding, and Wodrow says, "the members were all of one kidney, and *heartily* in prosecuting the designs now on foot;" but the late head of the kirk had shorn it of its beams; there was now no commission to domineer over and direct the committee. However, to make up for that deficiency, "Mr. James Guthrie having met before at Edinburgh and elsewhere with divers of his party, did tryst [concert] it so, as he and they met in Robert Simpson's house, the next door almost to the meeting of the estates, and did draw up a petition to the king, making many professions of their joy for his return, but withal reminding him of his covenant to *suppress* bishops and ceremonies in England, and to beware of putting the government of Scotland into the hands of *malignants*." And, with his usual veracity, Burnet says, "They made terrible denunciations of heavy judgments from God on the king if he did not stand to the covenant, which they called the oath of God;" but there is *not one word* of these "terrible denunciations" in the document itself, which is as follows:—" . . . We are bold, in the integrity of our hearts, and in the zeal of the glory of God, and of the good of his church [as before noticed there were *three* parties, each of which claimed to be *the church*, but, of course, *the church* in this remonstrance means the remonstrator faction], and of your majesty's honour and happiness . . . humbly to represent unto your majesty the great danger that threatens religion and the work of reformation . . . from the designs and endeavours of the popish, *pre-*

latical, and *malignant* party therein, which is beginning again to lift up its head . . . and also to overthrow that blessed work [the covenant and its fruits], and to reintroduce prelacy, and the ceremonies and the service-book, and all these corruptions which were formerly cast out as inconsistent with the *pure* and *spotless* rule of church government and discipline . . . We do with bowed knees [although they could bend their knees to gain their ends to an earthly monarch, yet they counted it superstition to fall down on their knees without any metaphor before the King of kings], and bended affections, humbly supplicate your majesty that you would employ your royal power . . . to the *extirpation* of popery, *prelacy*, superstition, heresy, schism, profaneness, &c. . . and that there may be no further proceedings in these things, *which grieve the Spirit of God*, and give offence to your majesty's good subjects . . . and that your majesty shall give your royal assent to acts and ordinances of parliament, *past or to be past*, enjoining the same in your other dominions [of establishing presbytery and extirpating prelacy], and that you shall observe these in your own practice and family, and shall never make opposition to any of these, or endeavour any change thereof. And we desire to be persuaded, that no length of time hath made your majesty to forget, or weakened upon your heart, the sense of the obligation of that great and solemn oath of God in the covenant, &c.¹

They also wrote letters to Mr. P. Gillespie, and the chiefs of their party in the west, to meet them at Glasgow the following week, with so many as they could bring with them. The committee hearing of this, immediately sent some of their number to them, seized on their papers, and brought them before the council. "They were sorry, at their first sitting down, to have to do with ministers; but Mr. Guthrie's restless and proud insolence did irritate, especially when all their number . . . and sundry other, did absolutely refuse to acknowledge any fault. Surely, continues Baillie, they had no warrant to meet, *being no kirk judicatory*, and their ill band of remonstrance could give them no privilege in a body to admonish the king how to govern England, and tax him for making malignants members of judicatories. Upon their obstinacy, all were sent to the Castle. At once Mr. Thomas Ramsay went stark mad: he was always but a weak foolish thing. Sundry of them fell sick, and were sent to their own houses, as at last all were sent to their lodgings in Edinburgh. Mr. James Guthrie was con-

¹ Wodrow, i. 68-71.

fined to the Tolbooth of Dundee, and Mr. Gillespie to the castle of Stirling; Mr. James Simpson to the Tolbooth [gaol] of Edinburgh; as also Mr. John Dickson, minister at Rutherglen, for many odious speeches in pulpit against the statesmen. Mr. James Naysmith, for speeches in pulpit, was confined to his chamber in Edinburgh. But above all, Mr. Rutherford was disgraced; his book, *Lex Rex*¹, burnt by the hand of the hangman at the cross of Edinburgh and St. Andrews; himself confined to his chamber, his stipend sequestrate, and himself cited before the parliament. Mr. Andrew Cant, preaching against Mr. Rutherford's hard usage, was accused before the magistrates of treason. He dimitted his ministry, and came to his son at Libberton, where both live very quietly. The commissioner used the old man very courteously, and likely will protect him from trouble²."

The chief of the remonstrant ministers were called on to subscribe a paper renouncing the remonstrance; and, after some hesitation, and having the fears of imprisonment before their eyes, they all subscribed. "That whole party was clean run down, to the *contentment* of the most; for they have been *ill instruments of irreconcilable division* for twelve years, both in kirk and kingdom³." Baillie corroborates Douglas's former assertion of the reaction in public opinion, respecting the episcopal order. "Our state is very averse to hear of our league and covenant. *Many of our people are hankering after bishops*, having forgot the evil they have done, and the nature of their office. An exceeding great profanity and contempt, both of the ministry and religion itself, is every where prevalent: a young fry of ministers in Lothian and Fife, and elsewhere, look *as if they intended some change*, without any fear or reverence to the elder ministers, who lately put them in their places⁴." Here are two of the most respectable of the presbyterians acknowledging, although with regret, that *the people* of their own accord were anxiously desirous of slipping their necks out of the intolerable tyranny of the "*godly discipline*," and of having the episcopal regimen restored to them, and consequently the presbyterian assertion, that presbytery was the national choice, is *altogether without foundation*. Douglas asserted that "the generality of the new upstart generation had *no love* for presbyterial government," nay, more, that they had a "*heart hatred*"

¹ As one of the signs of the times, we regret to see this infamous book has recently been republished.

² Baillie's Letters, iii. 446-7.—Barnet's Own Times, i. 205.

³ Baillie's Letters, iii. 448.

⁴ Ibid. iii. 448.

to it. He also admits that they fed their imaginations with the hope of episcopacy to relieve them from the oppression and never-ceasing contention and agitation of presbytery ; and now we have the unequivocal assertion of principal Baillie that "many of the people are hankering after bishops." To put a stop to the agitation, which the late meeting of the remonstrators portended, the committee issued a proclamation against all unlawful and unwarrantable meetings and conventicles, without his majesty's special authority, and against all seditious petitions and remonstrances under any pretext whatsoever.

We have two unexceptionable witnesses to the reaction in the public mind in favour of episcopacy, Douglas and Baillie, and that both the ministers and the people were by the mercy of God asking for the Old Paths wherein their fathers had trod ; of such was the presbytery of Edinburgh composed, to whom the king's letter to Mr. Douglas was directed to be communicated. It was dated the 10th of August, and Dr. Sharp was the bearer of it, and in consequence Mr. Wodrow very charitably sets him down as having been also its writer. It is as follows :—

"To our trusty and well-beloved, Mr. Robert Douglas, minister of the gospel in our city of Edinburgh, to be communicated to the presbytery of Edinburgh.

"CHARLES R.

"Trusty and well-beloved, we greet you well. By the letter you sent to us by the bearer, Mr. James Sharp, and by the account he gave of the state of our church there, we have received full information of your sense of our sufferings, and of your constant affection and loyalty to our person and authority. And therefore we will detain him here no longer, (of whose good service we are very sensible) ; nor will we delay to let you know by him our gracious acceptance of your address, and how we are satisfied with your carriages, and with the generality of the ministers of Scotland in this time of trial, whilst some under specious pretences swerved from that duty and allegiance they owed to us. And because such, who, by the countenance of usurpers, have disturbed the peace of that our church, may also labour to create jealousies in the minds of well-meaning people, we have thought fit by this to assure you, that by the grace of God, we resolve to discountenance profanity, and all contemners and opposers of the ordinances of the gospel. We do also resolve to protect and preserve the government of the church of Scotland, as it is settled by

law, without violation ; and to countenance, in the due exercise of their functions, all such ministers who shall behave themselves dutifully and peaceably as becomes men of their calling. We will also take care that the authority and acts of the General Assembly at St. Andrews and Dundee in the year 1651, be owned and stand in force, until we shall call another General Assembly, which we purpose to do as soon as our affairs will permit. And we do intend to send for Mr. Robert Douglas and some other ministers, that we may speak with them in what may further concern the affairs of the church. And as we are very well satisfied with your resolution not to meddle without your sphere, so we do expect that church judicatories in Scotland, and ministers there, will keep within the compass of their station, meddling only with matters ecclesiastic, and promoting our authority and interest with our subjects against all opposers ; and that they will take special notice of all such, who by preaching and private conventicles, or any other way, transgress the limits of their calling, by endeavouring to corrupt the people, or to sow seeds of disaffection to us or to our government. This you shall make known to the several presbyteries within that our kingdom. And as we do give assurance of our favour and encouragement to you, and to all honest deserving ministers there, so we earnestly recommend it to you all, that you be earnest in your prayers, public and private, to Almighty God, who is our Rock and our Deliverer, both for us and for our government, that we may have fresh and constant supplies of his grace, and the right improvement of all his mercies and deliverances, to the honour of his great name, and the peace, safety, and benefit of all our kingdoms. And so we bid you heartily farewell. Given at our court at Whitehall, the 10th of August, 1660, and of our reign, the twelfth year. By his majesty's command."

LAUDERDALE."

Charles has been unjustly charged with duplicity in ordering this letter to be written to the presbytery ; but a very superficial attention to the history of ecclesiastical affairs since the reformation, will satisfy any reasonable person that such a charge is the mere effect of party spirit. At the Glasgow Assembly, 1638, the bishops protested that all its acts and deeds shall be reputed and esteemed *unjust, illegal, and null in themselves* ; and protested before God and man that what shall be done in this kind may not redound to the disgrace and disadvantage of reformed religion, *nor be reputed a deed of the church of Scotland*. This act of the church was clinched by that of the state, which declared the sitting of the Assembly to be *high*

treason, and also protested against whatever acts they might pass¹. Here we have both church and state protesting against that act of Assembly, which overturned the church and established presbytery; and although a *successful* rebellion gave the semblance of lawful authority to presbytery, for the time being, yet the act Resciassory broke down all that had been illegally done in favour of presbytery at one blow; and the act of Assembly of 1610, which was ratified by the act of parliament of 1612, recovered its original force. Charles, therefore, could mean nothing else than that he would maintain that church which had been established before the late revolution, and every act against it had been annulled by the act rescissory. But besides, neither Charles I., nor the bishops, who were constituent members, ever assented to the acts of the Glasgow Assembly; and his minister, Traquair, in some measure tranquillized the king's agonised mind by assuring him that "no act that passed then could have *force in law, much less the act that abolished them*, especially when they were not appearing, nor consenting, but *protesting against it*?" In England the episcopal government was overturned, and the bishops also were driven out of their place in parliament by an usurped authority, much in the same way as they had been in Scotland; but at the Restoration the surviving English bishops, on their return, took possession of their sees, and exercised their lawful jurisdiction, without the formality of any law whatsoever. Their deprivation proceeded from no lawful authority, and Dr. Sharp shewed, on the 7th of July, that it had been proved to the Court of King's Bench that the bishops had not been ousted of any point of their jurisdiction. Their sequestration by the Long Parliament was deemed so illegal that no act was made to restore them to their just rights. The Scottish bishops had been *extirpated* in the same illegal manner, and presbytery had usurped their places, without the least shadow of law; and, therefore, the presbyterian ministers had no right to consider themselves *established by law*, but only by an illegal usurpation. But, in point of fact, the act of Assembly, 1610, which established episcopacy, and the act of parliament, 1612, which ratified the same, *stand unrepealed to this day*.

The presbytery sent a respectful answer to the king's letter, enclosed in one to Lauderdale; and among the signatures of the former I see several names of men who afterwards rose to great eminence and deserved reputation in the episcopal church. On the first of November, the king summoned by proclamation a parliament to meet on the 12th of December; conceiving, he

¹ Vide ante, vol. i. chap. xiv. 595-611.

² Vide ante, chap. xvi. p. 18.

said, "that a parliament, in *its right constitution*, at this time will be a ready mean for establishing a firm peace to our people, and for settling all religious and civil, public and private interests; we have, therefore, thought fit to call a meeting of our estates of parliament to be kept at Edinburgh." He also issued a proclamation of the same date, assuring his people, "That as we do therein rely upon the loyalty, prudence, and care of our parliament, so we do absolutely leave and commit to them the trying and judging of the carriage of our subjects during those troubles . . . that our own honour, and the honour of that our ancient kingdom, being vindicate, and the ancient prerogative of the crown being asserted, we will grant such a full and free pardon, and act of indemnity, as shall witness there is nothing we are more desirous of, than that our people may be blessed with abundance of happiness, peace, and plenty, under our government."

On the 18th of September, the duke of Gloucester died; he was a prince of great promise, and in whom some good thing was found. The elections for the counties and burghs came on in September, and they were almost all favourable to the crown and the mitre; and Wodrow laments that all those "who had been active in the work of reformation during the former period, were now turned out of all trust¹;" an unequivocal proof, that cannot be mistaken, of the revulsion of the public mind. The synod of Lothian met, and sent up an address to the king, in which they "gave a full return to every part of his majesty's gracious letter." And to lord Lauderdale they say, "We believe that the way of clemency and moderation towards the crowd of those who have been misled, and who shall renounce their course (as some in our synod are already doing), will, in the issue, prove most for the good of his majesty's affairs, and we doubt not will be most acceptable to him." When Edinburgh Castle was betrayed to Cromwell, Warriston was permitted to remove the public records to Stirling Castle; in their passage up the river a Commonwealth ship of war seized the vessel, under pretence that she was carrying munitions of war. The vessel under this pretence was confiscated, and its whole cargo sent to London, and the records were lodged in the Tower as a trophy of conquest. Charles now ordered them to be restored, and they were shipped on board of a Kirkaldy trader, which encountered a severe gale on the passage, and was totally wrecked off the Fern Islands, and the whole, contained in eighteen hogsheads, were lost, to the irreparable prejudice of

¹ History, i. 85.

Scottish history. The regalia had better fortune, and the worthy minister, Mr. Grainger, produced his well-preserved treasure; and he met the reward due to his wife's eminent services. I anticipate the meeting of parliament, by giving here the act which passed the 11th of January of the succeeding year:—"Forasmuch as the estates of parliament do understand that Christian Fletcher, spouse to Mr. James Grainger, minister of Kinneff, was most active in conveying the royal honours, his majesty's crown, sword, and sceptre, out of the castle of Dunnottar, immediately before it was rendered to the English usurpers, and that by the care of the same was hid and preserved: THEREFORE the king's majesty, with advice of his estates in parliament, does appoint two thousand merks Scots to be forthwith paid unto her by his majesty's treasurer, out of the readiest of his majesty's rents, as a testimony of their sense of her service." The other parties concerned in this memorable transaction had also their share afterwards. John Keith, the youngest son of the countess Marischal, was created earl of Kintore and knight Marshall of Scotland; George Oglevie, the lieutenant-governor, was made a baronet, and the fendal tenure of his lands was changed from ward-holding to blanch, in respect of his high services; and the charter states, "In that he was instrumental in the preservation of his highness's crown, sceptre, and sword, the ancient honours of this his kingdom of Scotland, and of the damage sustained by the same sir George Oglevie therethrough, from the beginning of the usurpation; during which time, notwithstanding of all temptations and threatenings used against him by the usurpers, he carried himself with so much integrity that his majesty was graciously pleased to conceive he deserved a mark of his highness's favour put upon him and his family!"

On the 31st of December the earl Middleton arrived at Holyrood House with great magnificence; he was met on the way at Musselburgh, with great solemnity, by the nobility and gentry then in the capital, and by a thousand horse. He was allowed nine hundred merks per day for his table, and his way of living was the most splendid the nation had ever seen². In the late times, during the tyranny of the covenant, men were compelled to be hypocrites, and to wear a face of gravity and demureness which passed for piety, in order to avoid the intolerable interference of the presbyterian ministers, and to conceal that real depravity and those scandalous vices which they practised in secret. The sudden change from the secret indul-

Sir W. Scott's Description of the Regalia of Scotland, pp. 23, 24.
Baillie's Letters, iii. 464.

gence of debauchery to the open practice of vice, made men imagine that the Restoration had worked a transformation from virtue to vice ; but the real truth is, it was only that the besetting sins of the nation were now practised openly, whereas they had been before indulged in secret and in hypocrisy,—an additional sin, which is of itself most offensive to God. Burnet and Wodrow both speak of earl Middleton as most ostentatious in his vices ; but Baillie, who I reckon is the best judge, being free from the intolerable vanity and spite of the one, and the bigotted prejudice of the other, speaks of him in a different strain :—“ For a commissioner by our nobles’ consent, lest strife should be for it, the lord Middleton, earl of Fettercairn, was nominated ; who was not very acceptable to many, especially not keeping the day of the parliament, but causing it to be adjourned to January ; yet when he is come down, *his wisdom, sobriety, and moderation*, have been such as make him better beloved, and reputed *as fit* for that great charge as any other we could have gotten. So far it went every where *well*, to the great joy of all¹. ”

1661.—On the tenth anniversary of the king’s coronation at Scoon, the 1st of January, the parliament met, and the riding was the most magnificent that had ever been seen. The whole nobility of the kingdom were present, with very few exceptions. The lyon king-at-arms, with the heralds in their tabrets, called over the roll from a window in the palace, and the peers and commons rode from Holyrood House to the parliament house, through a double line of military. The guards of the earl of Erroll, the lord high constable, formed a second line from the military in the high street to the door of the house ; and the earl Marischal’s guards formed a third line from the outer door to the bar. The earl of Erroll sat on a chair of state at the door, and received the commissioner. Dr. Sharp, minister of Crail, as the king’s chaplain, preached before the house, and business commenced on the 4th. The commissioner addressed the house in a speech in which he set forth the blessings of the restoration ; he magnified the king’s person, and enlarged on the affection that he bore to his ancient kingdom, and expressed his hope that they would make suitable returns of zeal and loyalty in his service ; that they would condemn all the invasions that had been made on the royal authority, and assert the just prerogative of the crown, and give supplies for keeping up such a force as was necessary to secure the public peace, and to preserve them from the re-

¹ Letters, iii. 443.

turn of such calamities as they had so long felt¹. The first business was to choose the lords of the articles, which was only opposed by the earl of Tweeddale and one person. The earl of Cassillis moved that a president should be elected, as in the late times of the dictatorship; but the commissioner carried it that the lord chancellor should preside as formerly, by virtue of his office. The oath of allegiance was next ordained to be taken by all the members, instead of the covenant which had been imposed on the parliament and nation in the enthusiasm and madness of the late times. Some opposition was made, but the commissioner and the chancellor declared that no ecclesiastical power was intended to be conferred on the king, in word, sacraments, or discipline; but only a supreme civil power to keep churchmen in all things to their duty. "All were satisfied, and took it in that sense; only Cassillis and Kilburnie refused it, because they could not obtain that sense to be expressed in writing²."

The second act recognized and established his majesty's prerogative to choose the officers of state, counsellors and lords of session, which repealed the act which the parliament of 1641 had compelled the late king to concede, and declared "the contrary laws, practices, and acts, since 1637, to have been undutiful and disloyal." It also declared that the power of appointing his ministers was a part of the royal prerogative; and in order to condemn the treasonable position, that the king was subject to the people and derived his power from them, it recognized and declared "that our kings hold their royal power over this kingdom from God." The third act recognized and asserted the royal prerogative "to call, hold, prorogue, and dissolve all parliaments, conventions, or meetings of estates." The fourth prohibited all conventions, leagues, or bonds, without the concurrence of the sovereign. The fifth recognized the king's sole power to make peace or to declare war; that the power of the sword is solely in the king; that "parliament cannot nor ought to pretend to the same, nor can nor may raise or levy any war, offensive or defensive, against his majesty, his heirs or lawful successors." The sixth act declares the ordinance of the convention of estates in the year 1643, which united with the Long Parliament in forcing the solemn league and covenant on England, to be null and void; and the parliament justly declared the infamous sale of the late king to be *the work of a faction*, and not of the nation: they "did, by an express act, condemn and reprobate all that

¹ Burnet's Own Times, i. 207.

² Baillie's Letters, iii. 463.

treaty, and declare that the same was *no national act*, but was only carried on by some rebels who had falsely assumed the name of a parliament¹. The seventh act laid the axe to the root of all the evils of the preceding times of rebuke and blasphemy, by annulling the League and Covenant.

“ Forasmuch as the power of arms, and entering into, and making of leagues and bonds, is an undoubted privilege of the crown, and a proper part of the royal prerogative of the kings of this kingdom, and that in recognisance of his majesty’s just right, the estates of parliament of this his most ancient kingdom of Scotland, have declared it high treason to the subjects thereof, of whatsoever number, less or more, upon any pretext whatsoever, to rise, or continue in arms, or to enter into leagues or bonds with foreigners, or among themselves, without his majesty’s special warrant and approbation had and obtained thereunto; and have rescinded and annulled all acts of parliament, conventions of estates, or other deeds whatsoever, contrary to or inconsistent with the same. And whereas, during these troubles, there have occurred divers things, in the making and pursuance of leagues and bonds, which may be occasion of jealousy in and betwixt his majesty’s dominions of Scotland, England, and Ireland; therefore, and for preventing of all scruples, mistakes, or jealousies that may hereafter arise upon that ground, the king’s majesty, with advice and consent of his estates of parliament, doth hereby declare that there is no obligation upon this kingdom, by covenant, treaties, or otherwise, to endeavour by arms a reformation of religion in the kingdom of England, or to meddle with the public government and administration of that kingdom. And the king’s majesty, with consent and advice aforesaid, doth declare, that the league and covenant, and all treaties following thereupon, and acts or deeds, that do or may relate thereto, are not obligatory, nor do infer any obligation upon this kingdom, or the subjects thereof, to meddle or interpose by arms, or in any seditious way, in any thing concerning the religion and government of the churches of England and Ireland, or in what may concern the administration of his majesty’s government there. And further, his majesty, with advice and consent of his estates, doth hereby charge and inhibit all his majesty’s subjects within this kingdom, that none of them presume, upon any pretext of any authority whatsoever, to require the renewing or swearing of the said league and covenant, or of any other covenants or public oaths, con-

¹ *Memoirs of the Hist. of Scotland*, p. 26.

cerning the government of the church or kingdom, without his majesty's special warrant and approbation ; and that none of his majesty's subjects offer to renew and swear the same, without his majesty's warrant, as said is, as they will be answerable at their highest peril."

The eighth act was against seminary priests and jesuits, which it appears, taking advantage, as they always do, of the disorders of the times, swarmed all over the kingdom in great abundance. They were the principal instigators of the late schisms and rebellion, and had been the chief instruments in the introduction and propagation of the covenant. The ninth act approves of the duke of Hamilton's "Engagement" in favour of Charles I. in 1648 ; but rescinds the ensuing measures of parliament and committees, as being the acts "of a few seditious ministers, who had then screwed themselves into the government." The tenth act is against the declaration of Scotland, 16th of January, 1647. The eleventh act requires all public officers to take the oath of allegiance, and to acknowledge the royal prerogative.

The fifteenth act was of more importance, and levelled all the acts of the late usurpation at one blow, much in the same summary way that the Glasgow Assembly had repealed acts of parliament that had been passed in the most lawful form. This act, called the ACT RESCISSORY, is denounced in measureless terms of abuse by the whole presbyterian body, and Dr. M'Crie has the following lamentation over it :—"And O, how loud the call to constancy in Scotland, which God had now brought a second time from the furnace of persecution brighter and purer than ever, and had glorified in the sight of other churches and nations, by making her enemies to come and *worship before her*, and to know that he had loved her ! But, ah ! how soon was her fine gold changed ! How quickly did the glory depart from all the three churches ! A scriptural reformation, advanced to a great height in one of them, and prosperously begun in the others, ratified and confirmed, and established by laws, and fenced by the most sacred oaths and covenants, sworn with uplifted hands by our king, noblemen, barons, ministers, burgesses, and commons, was *not only marred*, but perfidiously overturned, and that by the very hands which gave the pledges to God and man for its preservation and its maintenance¹." Sir George Mackenzie urged the earl of Middleton to pass the act rescissory, but he hesitated, and "sent Mungo Murray to consult his majesty ; but

¹ Testimony of the Truths of Christ, 26.

Hyde despatched an express to chide him for his hesitation, and entreating him to pass it immediately, as most conducive for his majesty's interest. How soon it was informed that the commissioner had intended to urge the act rescissory, Mr. James Wood, professor of divinity in St. Andrews, did, out of an *indiscreet* zeal, go to the commissioner, and told him, *that if he offered at it, they* [the remonstrators] *would let loose THE PEOPLE UPON THEM*¹. Notwithstanding the lamentation and the insolent threats of the godly, the act passed with only an opposition of "scarce fourty." It narrated all the miscarriages of the late times of rebellion, and concluded—

. . . . THEREFORE the king's majesty and estates of parliament do hereby RESCIND AND ANNUL all the pretended parliaments kept in the years 1640, 1641, 1644, 1645, 1646, 1647, and 1648, and all acts and deeds past and done in them: AND DECLARE the same to be henceforth VOID AND NULL. And his majesty being unwilling to take any advantage of the failings of his subjects during these unhappy times, *is resolved not to retain any remembrance thereof, but that the same shall be held in everlasting oblivion*, and that all differences and animosities being forgotten, his good subjects may, in a happy union under his royal government, enjoy that happiness and peace which his majesty intends and really wishes unto them as unto himself; doth therefore, by advice and consent of his estates of parliament, grant his full assurance and indemnity to all persons that acted in or by virtue of the said pretended parliaments and other meetings flowing from the same, to be unquestioned in their lives or fortunes for any deed or deeds done by them in their said usurpation, or by virtue of any pretended authority derived therefrom, excepting always such as shall be excepted in a general act of indemnity to be passed by his majesty in this parliament. And it is hereby declared, that all acts, rights, and securities, past in any of the pretended meetings above written, or by virtue thereof, in favour of any particular persons for their civil and private interests, shall stand good and valid unto them until the same be taken into further consideration, and be determined in this or the next session of parliament.

The sixteenth act re-established the Reformed Catholic church in the same state as it had subsisted in the time of king James VI., and of king Charles the Conceder. It removed the pressure from without, under which it had been crushed by the unlawful and violent usurpation of the Glasgow Assembly in 1638, which, in pursuance of their oath, the presbyterian party had *extir-*

¹ Memoirs of Hist. of Scotland, p. 28.

pated. Presbyterians have raised a horrible outcry against Charles's government for passing this act; but parliament treated the presbyterians with more gentleness than that body had ever at any time practised to episcopalians, but especially since the Glasgow Assembly. They neither deposed nor deprived any of the presbyterians who had illegally driven the episcopal incumbents out of their livings, and then had usurped their places; but in a lawful and temperate manner they restored the church to her just rights, and left those who were in possession to retain their illegally obtained churches upon the simple condition of accepting collation from the bishops. When presbyterians object to the following act, they forget the tyrannical and unjust transactions of the Glasgow Assembly, which sat in defiance of that royal authority under which it had been convoked, and usurped the whole constitutional powers of both the king and the parliament by repealing acts of parliament and of assembly by wholesale. No regular government could have existed with an assembly and commission of presbyterian ministers exercising such unlimited powers, both spiritual and temporal, as had been assumed by these courts for the last twenty years, during which time they held a tyrannical and more than papal supremacy over the civil government. The act "concerning religion and church government" is as follows:—

"OUR SOVEREIGN LORD, being truly sensible of the mercies of Almighty God towards him, in his preservation in the times of greatest trouble and danger, and in his miraculous restitution to his just right and government of his kingdoms, and being desirous to improve these mercies to the glory of God and the honour of his great name, doth, with advice and consent of his estates of parliament declare, that it is his full and firm resolution to maintain the *true reformed protestant religion*, in its purity of doctrine and worship, as *it was established* within this kingdom during the reigns of his royal father and grandfather of blessed memory: and that his majesty will be careful to promote the power of godliness, to encourage the exercises of religion, both public and private, and to suppress all profaneness and disorderly walking; and for that end will give all due countenance and protection to the ministers of the gospel, they containing themselves within the bounds and limits of their ministerial calling, and behaving themselves with that submission and obedience to his majesty's authority and commands, that is suitable to the allegiance and duty of good subjects. And as to the government of the church, his majesty will make it his care to settle and secure the same, in such a frame as shall be most agreeable to the word of God,

most suitable to monarchical government, and most complying with the public peace and quiet of the kingdom. And, in the meantime, his majesty, with advice and consent aforesaid, doth allow the present administration by sessions, presbyteries, and synods, (they keeping within bounds, and behaving themselves as said is), and that notwithstanding of the preceding act rescissory of all pretended parliaments since the year 1638."

To this act there were only *five* dissentient voices, and it may therefore be considered the unanimous sense of parliament. Many, says Baillie, "blame Mr. Sharp, as the great court minister [chaplain], by whose sole advice the king and states men, both Scots and English, are put on and directed in these meddlings with our church; but I have always found him so kind a friend to myself, that I will be loath to admit such thoughts of him¹." Mr. Sharp must have possessed enormous power and influence if he could have accomplished all that is ascribed to him, and that too whilst he was pursuing his parochial duties at Crail. The seventeenth act appointed the 29th of May, the day on which his majesty made his triumphal entry into London, to be observed for ever as a holiday unto the Lord, and that in all the churches in the kingdom it be employed in public prayer, preaching, thanksgiving, and praises to God. This act shews that the legislators of that time were actuated by a due sense of God's providence in the restoration of order and lawful government; but it was considered an intolerable grievance by the presbyterians, who now began to be distinguished by the title of COVENANTERS, on account of their firm adherence to that bond of rebellion after it had been declared by the parliament illegal and no longer in force. Wodrow charitably asserts that this festival was formed to be "*evidently a snare unto ministers.*"

ON THIS DAY a period was put to the supremacy and the rebellion of the kirk; and the presbyterian ministers could not but see that this act condemned all their former extravagant and rebellious proceedings, so that by obeying it, their hypocrisy would be proclaimed, and they would fall into contempt with their people for thus publicly condemning their former violence. The eighteenth and nineteenth acts were to enforce the due observance of Sunday, and to discourage two of the reigning sins of the times—swearing and excessive drinking.

The thirty-sixth act of this session, "anent presentation of ministers," has been a bone of contention among the various sects of presbyterians ever since its enactment. It has ever been

¹ Letters, iii. 468.

considered a "heavy grievance," and was the cause of several secessions from the main body in the eighteenth century, as well as of the non-intrusion secession of the present day. Patronage has been in existence ever since the division of the country into parishes, when resident clergymen were placed in every parish, instead of the original custom of the bishop sending out his deputies to stations to perform divine offices, and then to return to head-quarters. Proprietors of land and noblemen erected churches on their estates for the benefit of their tenants, and endowed them with the tithes; and by a compromise betwixt them and their several bishops they had the right of presentation vested in them as a recompense for building and endowing the church. At the reformation there was no alteration made in the law of patronage, and Knox fully maintains the rights of patrons. In his time, no minister was allowed to have a legal title to any benefice unless he had a presentation from the patron, and collation from the superintendent, or bishop. In 1649, during the supremacy of the assemblies, the parliament, to answer the selfish purposes of the men then in power, abolished the civil rights of patrons, under the pretence of restoring the rights of the people in the election of their ministers¹. It is true that the Second Book of Discipline² condemns "patronages as having no ground in the word of God; as contrary to the same; and as contrary to the liberty of the election of pastors, and that which ought not to have place in the light of Revelation." But it is equally true and inconsistent, that the same General Assembly that approved and ratified the Second Book, in the year 1581, statuted and ordained "that laic patronages *should remain whole, unjointed, and undivided*, unless with consent of the patron." This shews the haste and inconsistency of the Geneva reformers, in annulling patronage with the one hand, by ratifying the book that condemned them, and ordaining it to remain in full force with the other, by passing the foregoing act. But subsequently to that, to the third of king James's fifty-five questions³—"Is not the consent of the most part of the flock, and *also of the patron*, necessary in the election of pastors?"—Andrew Melville, and those who met with him at St. Andrews, gave the following answer:—"The election of pastors should be made by those who are pastors and doctors lawfully called, and who can try the gifts necessarily belonging to pastors by the word of God: and to such as are so

¹ *Ante*, chap. xxiv. p. 312, 13.

² Ch. xii. Sect. 10.

³ *Ante*, vide i. Ch. x. p. 396.

chosen, the flock *and patron* should give their consent and protection¹." So that even the founders of presbyterianism gave no encouragement to the popular election of ministers.

The act of 1649 was the only pretence or shadow of law which could be produced for popular elections; but which the people soon found to be a mere delusion, for presbyteries usurped the rights of the patrons and the newly acquired privileges of the people, and imposed ministers frequently in direct opposition to the choice of the parishioners. The abolition of patronage was an usurpation upon the long inherited rights of the patrons; and it cannot excite any surprise, when the government began to turn on its proper hinges, that such gross injustice and usurpation should be removed. The act for abolishing patronages was included in those acts which were repealed by the act rescissory; and the only thing surprising about it is, that there should be a particular act to restore the civil rights of patrons. Presbyterians consider patronage as a necessary appendage of episcopacy; but when the act was passed, episcopacy had not been restored, and, in fact, was not restored till the following year; and the restitution of patronage would have taken place although episcopacy had never existed.

ACT ANENT PRESENTATION OF MINISTERS.

FORASMUCH as the king's most excellent majesty, considering how necessary it is for the right and orderly administration of God's worship and the exercise of religion, and for keeping of his good subjects within their duties they owe to God, to his majesty, to their native country and fellow subjects, especially at this time, after so many confusions and distractions both among churchmen and others, that more than ordinary care be had in presenting of ministers to all such kirks as are or shall be vacant within this kingdom, hath given particular commission, under his great seal, as to all presentations to all parsonages, vicarages, and other benefices and kirks at his majesty's presentation. And . . . statutes, and ordains that all patrons, &c. who hath or pretend any right to the presentations . . . be careful in all time coming that presentations to these benefices, kirks, or stipends, be granted by them to such persons only as shall give sufficient evidence of their piety, loyalty, literature, and peaceable disposition, and shall, in presence of the patron or his attorney,

¹ Spottiswood, 434.—Calderwood's History, p. 383.

and of the sheriff, &c. . . . before the granting and their accepting the presentation, take and subscribe the oath of allegiance. . . . And it is hereby declared, that if any person who hath not so taken the oath of allegiance shall be presented by any patron, not only shall the presentation be void and null of itself, but the right of the patronage, as to that vacancy, shall belong to the king's majesty, and the patrons be repute disaffected to his majesty's government, and contemnners of his royal authority.

On the 16th of January a proclamation was issued, ordaining all persons who did not actually reside in Edinburgh, and who were not obliged to attend the parliament, that had any hand in the remonstrance, or in contriving of or assenting to the ends thereof, or in that wicked book called "The Causes of God's Wrath," to depart the town in forty-eight hours, and not to return or remain within ten miles thereof, under pain of treason, except those who are already cited to appear for the above-named crimes. A commission was granted to visit the university of Aberdeen, to remove the intruders, and to restore those professors that were still alive, and who had been forcibly dispossessed by the presbyterians. On the 27th of February, the commissioner read a letter to the house from the king, in which he said he approved of all their proceedings, and declared his readiness to grant a general amnesty to those that had been engaged in the late rebellion, with such exceptions as the parliament should recommend. In his proclamation from Breda, on the eve of the restoration, the king promised an indemnity to the realm of England with certain exceptions; but no such promise had been made to Scotland, so that the whole kingdom lay at his mercy. Lauderdale now reminded him of the loyalty of the great body of the nation, and of the unsuccessful "engagement" to relieve the late king; Montrose's brilliant achievements; and their more recent and effectual assistance given to general Monk, now made duke of Albemarle; besides that, the act of approbation, which he himself had passed while in Scotland, might be pleaded against any general severity; but that of those who had been actively and cheerfully engaged in Cromwell's service, Argyle, Warriston, and Guthrie, were the most culpable and deserving of punishment.

On the 13th of February, Argyle was placed at the bar of the parliament under a charge of high treason. The indictment contained fourteen counts, which briefly narrated the whole of his traitorous history during the preceding rebellion; but the chief articles were his consenting to the late king's death; his efforts to defeat the "Engagement;" his consenting

to the judicial murder of Montrose; his assisting Cromwell's officers against Glencairn and Middleton; sitting in Cromwell's parliament; and advising Cromwell and Ireton to take the present king's life. It was as follows:—

"1. THAT HE ROSE in arms against the king; and said to Mr. John Stuart, that it was the opinion of many divines, that kings might be deposed. 2. That he marched with an armed force, and burnt the house of Airlie. 3. That in 1640, he besieged and forced his majesty's castle of Dumbarton to surrender to him. 4. That he called, or ordered to be called, the convention of estates in 1643, and entered into the Solemn League and Covenant with England, levied subscriptions from the subjects, and fought against his majesty's forces. 5. That in 1645 he burnt the house of Menstrie. 6. That in 1646 he, or those under his command, besieged and took the houses of Towart and Ecoge, and killed a great many gentlemen. 7. That he marched to Kyntire, and killed 300 Macdonalds and McCouls in cold blood, and transported 200 men to the uninhabited Isle of Jura, where they perished by famine. 8. That he went to London, and agreed to deliver up the late king to the English army at Newcastle, upon the payment of £200,000, pretended to be due for the arrears of the army treasonably raised, 1643. 9. That he protested against the 'Engagement' of 1648, for relieving his majesty; raised an army to oppose the 'Engagers;' met with Oliver Cromwell; consented to a letter wrote to him on the 6th of October, and to the instructions given to sir John Chiesley, to the parliament of England; and in May following, signed a warrant for a proclamation against the lords Ogilvie and Rae, the marquis of Huntly, John, now earl of Middleton, declaring them, their wives and families, to be out of the protection of the kingdom. 10. That he clogged his majesty's invitation to the kingdom of Scotland, 1649, with many unjust limitations, consenting to the murder of the marquis of Montrose; corresponded with Cromwell; contrived and consented to the act of the West Kirk, 1650, and the declaration following upon it. 11. That in 1653 and 1654, he abetted, or joined with, or furnished arms to the usurper's forces against Glencairn and Middleton, and gave remissions to such as had been in the king's service. 12. That he received a precept from the usurper of £12,000 sterling, consented to the proclamation of Richard Cromwell, accepted a commission from the shire of Aberdeen, and sat and voted in his pretended parliament. 13. That he rebuked the ministers in Argyle for praying for the king. 14. That he positively advised Crom-

well and Ireton, in a conference, 1648, that they could not be safe, till the king's life was taken away; at least, he knew and concealed that horrid design."

THERE is not the least doubt of his guilt, and it is greatly aggravated by the terms of his defence; but the Hamiltons entertained as guilty views as he did, although they did not commit so many atrocious acts of cruelty. A contemporary author asserts what has been already stated of the duke of Hamilton's ambition, and adds, that "Lanerk dropped these words—'we can never have peace as long as this king or any of his race remain;' and upon another occasion he said, 'we can have no difference about monarchical government; all the difference will be *who shall be king*!'"

THE DUKE OF ALBEMARLE sent down Argyle's correspondence with him, which proved his full compliance with the invaders. He pleaded the commands of the rebel parliament and committee of estates; but of which he himself was the chief mover and director. He made a powerful defence in an eloquent speech; but the letters which he had written to Monk shewed his hearty concurrence in the rebellion, and they weighed strongly with parliament in voting him guilty. He received his sentence on the 25th of May,—“that he was found guilty of high treason, and adjudged to be executed to the death as a traitor; his head to be severed from his body at the cross of Edinburgh, upon Monday the 27th instant, and affixed on the same place where the marquis of Montrose's head was formerly, and his arms torn before the parliament and at the cross.” Burnet says it was at first designed that he should be hanged, as he had degraded Montrose by that mode of execution; but it was carried that he should be beheaded. He received his sentence decently, and composed himself to suffer with a courage that was not expected from him; for he was a notorious coward. He carried his hypocrisy and fanaticism to the scaffold, and informed his attendants, “the Lord hath again confirmed, and *said unto me from heaven*, thy sins be forgiven thee!” He *justified* all his rebellions and murders on the scaffold, and also in a letter he addressed to the king. His head was struck off by the maiden, an instrument similar to the guillotine. And his friend Baillie says, “however he had been much hated by the people, yet in death he was much regretted by many, and by none insulted over.” His head was set up on the very spike on which Montrose's head had blackened,

¹ The manifold Practices and Attempts of the Hamiltons, p. 21. 4to. 1648.

and whom his malice and revenge had pursued to death¹. This noble traitor is considered "the proto-martyr of the covenant" by the presbyterians, and they cherish his memory with great affection. "Thus," says a presbyterian author, "died the noble marquis of Argyle, *the proto-martyr for religion* after the reformation, who was a great promoter and support of the covenanted work of reformation during his life, and steadfast in witnessing to it at his death." His father warned king Charles of his ambitious disposition, and intended to have disinherited him, but was persuaded not to do so by king Charles. But long before that, the old earl said to king James, to whose princely favour he stood highly indebted—"that his grace should not need to apprehend the least jealousy touching his loyalty or fidelity towards him; for his royal bounty, besides all conscientious ties, had made him wholly his. But there *was a squint-eyed boy* sprung up from his family who might minister to him or his posterity occasion of jealousy; for he feared *God had marked him for no good end*."²

A few days after Argyle's execution, the trial of Guthrie the minister of Stirling, came on. He was accused of accession to the remonstrance, and of being the author of a book entitled "The Causes of God's Wrath," in which there are many treasonable passages, but in particular that he had denounced as *apostacy* the treaty with the king at Breda, the tendering him the covenant, before admitting him to the exercise of the government. He also declined at Perth the king's jurisdiction, and protested against him for remedy at law; that is, he threatened to prosecute his majesty in a court of law, as if he had been his fellow subject. He made a vigorous and ingenious defence, founding the whole on the obligations of the covenant, (which clearly shows the treasonable and sacrilegious nature of that popish document) and on the doctrines, confession of faith, and the laws of the presbyterian church. He was found guilty of high treason, and condemned to be hanged, and afterwards beheaded, and his head to be fixed on the Netherbow, one of the gates of the city. He suffered accordingly, and his head was placed on the gate, as directed in his sentence.

Burnet says, "he was a resolute and stiff man; so when his lawyers offered him legal defences, he would not be advised by them, but resolved to take his own way. He confessed and justified all that he had done as *agreeing to the principles and*

¹ Baillie's Letters, iii. 466. — Burnet's Own Times, i. 226. — Wodrow's History, i. 130-157.

² Mercurius Caledonius, p. 14. — The marquis of Argyle was red-haired, and squinted, and he was familiarly called "The Gleyed Marquis."

practices of the kirk, and which he had always asserted, that the doctrine delivered in their sermons did not fall under the cognizance of the temporal courts till it was first judged by the church: for which he brought much tedious proof. He said his protesting for remedy of law against the king, was not meant at the king's person, but was only with relation to costs and damages¹. A presbyterian author speaking of him, says—"his defence was so strong that nothing but the notorious criminality of his conduct could have condemned him: some were not for condemning him capitally, but the majority being of a different opinion, he received sentence of death; *which, candidly speaking, he well deserved*. His trial appears to have been very fair, and carried on with great attention and patience, both by the lawyers and judges. The latter moments of this very extraordinary man were agreeable to the whole tenor of his life. There is reason to believe he had high offers, even that of a bishopric, made him, if he would have recanted. When it was told Charles, by one of the members, that Gillespie, who was Guthrie's fellow-labourer, had so many friends in the parliament, that his life could not be taken, 'Well, (said his majesty), if I had known you would have spared Mr. Gillespie, I would have spared Mr. Guthrie.' He seems, in short, to have proposed John Knox as the model of his conduct; and though their fates were different they were equally undaunted in maintaining their principles against the face of the civil power²."

Guthrie was the son of — Guthrie of that ilk, a title which, in Scotland, is considered extremely honourable. "When he was a regent in St. Andrews, he was *very episcopal*, and was with difficulty persuaded to take the covenant. He was a man of great piety, learning, judgment, and eloquence, but was pitched upon for a sacrifice and example amongst the ministers; partly because he was a great leader among the protestors, and a great unfriend (enemy) to malignant and scandalous ministers; partly because he was desperately hated by Middleton, whom he had formerly excommunicated³." Strange ideas of piety seem to have been entertained by the presbyterians, which consisted in speaking evil of dignities—refusing to Cæsar his dues—teaching sedition and rebellion in the state, and schism and persecution in the church—and generally, all uncharitableness; for in their vocabulary all loyal episcopal ministers were *malignant and scandalous*. Burnet, who

¹ Own Times, i. p. 206.

² Guthrie's General History, x. p. 91.

³ Kirkton's History, p. 109.

was present at his execution, says, "It was resolved to strike terror into them [the remonstrator ministers] by making an example of him. He was a man of courage, and went through all his trouble with great firmness. But this way of proceeding struck the whole party with such a consternation, that it had all the effect which was designed by it: for whereas the pulpits had, to the great scandal of religion, been places where the preachers had for years vented their spleen, and arraigned all proceedings, they became more decent, and there was a general silence every where, with relation to the affairs of state; only they could not hold from many sly and secret insinuations, as if the ark of God was shaking, and the glory departing¹."

WARRISTON in the meantime had escaped to the continent, and death saved Rutherford from any trouble for his share in the late troubles; and Gillespie had also suffered, had not his friends persuaded him to *recant* his remonstrance and compliance with Cromwell, and to petition the king and parliament for mercy. Nasmyth, Dickson of Rutherglen, Stirling, and Trail, followed Gillespie's example, recanted and escaped all trouble. Mackward, one of the ministers of Glasgow, "in a set sermon of purpose, declared his grief for the parliament's hard usage of the covenant, wherein all honest men did concur with him; but in so high language as entering a protestation in heaven against the parliament's deed, whereof he took all his hearers for witnesses; such terms none did approve, yet for all that either one or other could say, he did obstinately stand to all; which provoked them to pass a sentence of banishment upon him²."

THE PARLIAMENT rose on the 12th of July; and a presbyterian author says, "it is but doing justice to Charles and his ministers to say, that they applied themselves with great assiduity and with no little impartiality to restore the forms which had been so long abrogated." "When we consider," he continues, "Scotland at this time, divested of all internal jurisdiction but what proceeded from the king and his ministers, and her chains rivetted by her own parliament, which had repealed all the acts since the year 1635, that could give safety or security to the subject; when we consider, at the same time, that there was scarcely a gentleman of property in Scotland, not even excepting the lord commissioner, who, when those acts were repealed, was not a rebel in the eye of the law, the conduct of Charles in the government of that kingdom *will not be found to deserve the harsh treatment* it has met with from party prepossessions.

¹ Own Times, i. p. 183.

² Baillie's Letters, iii. 467.

Middleton was a brave officer, and thought to be an honest man. . . . It would scarcely be credible that the temper and genius of a nation should be so entirely changed as the Scots were in ten years' time, did we not reflect, that the people looked back *with horror* upon the foreign subjection, and *domestic tyranny*, they had so lately endured : the former from the English, the latter *from their own preachers*. The differences between the resolutioners and the remonstrators facilitated the introduction not only of prelacy, but of arbitrary power. Lauderdale, though one of the worst and most unprincipled men of the age, would have willingly preserved presbyterianism in Scotland, because it would have given him a great sway among all the subjects of that persuasion. Middleton, who knew himself to be hated by Lauderdale, was a furious friend to episcopacy, that he might strengthen his own authority by that of the bishops. . . . The third party, headed by Glencairn, and composed of the best and most moderate men of property, thought prelacy was absolutely necessary for preventing the return of the disorders which the nation had lately suffered from the covenanters ; but they were for a moderate episcopacy, such as had taken place during part of the reign of James I. ; and secretly imagined that they had numbers and interest sufficient to bring about such an establishment¹."

ON THE RISING of parliament, the executive government was placed in the privy council, which, in the intervals of parliament, had the privilege of explaining the intention and meaning of the acts ; because they chiefly emanated from the government through the lords of the articles, and therefore the government best knew the meaning in which they had been enacted. Lord Middleton went to court immediately after the prorogation of parliament, to lay an account of his proceedings, and the state of the nation, before the king. At this period Charles appears to have been very popular ; for Kirkton, a presbyterian, says, "the king's character stood so high in the opinion and idolatrous affections of the miserable people of Scotland, that a man might have more safely blasphemed Jesus Christ, than derogate in the least from the glory of his perfections." And Douglas, in one of his letters to Mr. Sharp, says, the king "is gifted to his people in return of their prayers, and their expectations are fixed on him, *as the man of God's right hand*, who will refresh the hearts of all the lovers of Zion." And Baillie says, that "the most desired it [the

¹ Guthrie's General History, x. 93-96.

parliament] to rise without adjournment, and chose rather to be governed simply by the king's good pleasure, *who was an equitable and wise prince.*"

THE ACT RESCISSORY was a radical remedy for a desperate disease, and presbyterians have not been sparing of their abuse of Charles and his ministers for having passed it in a full, free, and lawful parliament. "If any acts had been passed which needed to be reviewed, the opposition agreed that might well be done; but to *annul* a parliament was a *terrible precedent*, which destroyed the whole security of government¹." This was both wrong and weak reasoning, and certainly was the strongest *condemnation* of their own conduct that even their enemies could have produced. In the "noon-tide" of presbyterian glory they had annulled and repealed, in their treasonable Assembly of 1638, acts of parliament of thirty years' standing, besides "casting down the walls of Jericho," as they termed their extirpation of the church; and that, too, not by an act of parliament lawfully assembled, but by a convocation of presbyterian ministers and lay-elders, sitting not only unlawfully, but in express *defiance* of the royal authority, and which was the root of the subsequent rebellion, and of all the miseries of the three kingdoms. But that was not the only instance wherein the presbyterians had set the "terrible precedent" of annulling parliaments, and not only "destroying the security of government," but of overturning and revolutionizing the executive government. In the parliament of 1640, although there was no *visible* force on the late king, nevertheless he suffered a *real pressure* from the unrepressed rebellion of the presbyterians, and the prospect of another by the papists and puritans, which compelled him to make unreasonable and destructive concessions; so that distress in his affairs was really equivalent to a force on his person. In that parliament, we are informed by the lyon-king-at-arms, who was himself a covenanter, that they exhibited "*the real greatest change at one blow that ever happened to this church and state these six hundred years past*; for in effect it *overturned* not only the *ancient state government*, but FETTERED MONARCHY WITH CHAINS, and *set new limits and marks to the same, beyond which it was not legal to proceed*²." The act rescissory only patriotically struck off those fetters and chains which rebels and revolutionists had placed on the liberties of the subject, and on the just freedom and authority of the crown; for whilst these fetters remained it

¹ Burnet's Own Times, i. 214.

² Balfour's Annals, ii. 379, vide ante, v. ii. 39.

would have been impossible to have carried on the government but in subjection to a junta of ministers and elders, called a commission of the kirk. There cannot be a greater inconsistency than the condemnation by the presbyterians of Charles's government, for *restoring* the constitution to its former and legitimate state; for it cannot be denied that the civil and ecclesiastical proceedings of the preceding twenty years had been both violent and unconstitutional. The religious dissensions and fanaticism of the times made way for the conquest, by Cromwell and an insignificant force of not quite twenty thousand men, of this ancient and independent kingdom, which had hurled back the most warlike English monarchs, with all their most illustrious and renowned chivalry at their backs, in disgrace and defeat. There was neither degeneracy in Scottish courage, nor defect in their generalship, according to the military knowledge of the times; but there was *religious dissent*; a bastard attempt at *theocratical* supremacy; a fear lest the loyal part of the nation should be permitted to rescue their sovereign from the grasp of militant ministers and would-be saints; a paralysation of their own strength by a most malignant party that *remonstrated* against allowing the loyal presbyterians and the churchmen to serve in the army or in civil affairs; and a hurling of excommunications which brought down civil pains and penalties, and confiscation of property, and the most envenomed and mendacious personal abuse and slander, upon every man, of whatsoever rank or profession, who loved his country and wished to serve his sovereign.

But the christian reader will not fail to see that retributive justice was meted out in the mildest form after the Restoration. The trials and executions of Argyle and Guthrie proceeded according to law and justice, and the number selected by parliament was small, when it is considered that the whole kingdom lay at the king's mercy. When we review the life of the former, from the time of his first appearance in public affairs, his condemnation cannot be called either vindictive or cruel; for he, with others, had with determined and persevering cruelty and revenge, compassed the death of the earl of Strafford, the archbishop of Canterbury, the marquis of Montrose, and the late king himself; besides numberless gentlemen, from sir Robert Spottiswood, president of the court of session, to John Stuart, the humble commissary of Dunkeld. The contrast is most remarkable between the restoration of the constitutional government and the revolutionary one in the last reign. Without involving any one in trouble, the act rescissory restored

the constitution to the state in which it existed before the commencement of the rebellion; but the revolution effected by the covenant commenced by violently overturning and extirpating the church, threatening the lives of the prelates and their clergy, deposing and excommunicating them, forcing an obnoxious and a most impious oath on all ranks and conditions, and compelling men to perjure themselves; levying war on the king, and massacring his loyal subjects, whom they styled *malignants*; and establishing a republic and dictatorship. Guthrie was a type of his sect; and Baillie says, his "libel was tartly drawn, and wittily answered; yet *he defended all he had done; justified* the matter of the remonstrance, protestations, Causes of God's Wrath, and [justly] *fathered all on the DISCIPLINE of the CHURCH and acts of Assemblies*; even his declination of king and parliament at Perth, when cited for *treasonable* preaching. After many days' hearing, persisting obstinately, he was condemned to be hanged, and his head to be set on the Nether Bow¹."

¹ Letters, iii. 467.

CHAPTER XXVIII.

RESTORATION OF EPISCOPACY.

1661.—Arts of the remonstrators.—Synod of Glasgow—of Fife—of Perth and Stirling—of Dumfries—of Galloway—of Lothian.—The northern synods.—Address of the synod of Aberdeen.—The earl of Middleton goes to court.—Meeting of the council in London—account of its proceedings, and determination.—Anecdote.—Dr. Sharp.—Mr. Baillie's letter.—Some reflections.—Different opinions.—Remarks on the king's letter.—Douglas's account.—King's proclamation.—Baillie's advice.—Dr. Sharp made archbishop of St. Andrews.—Douglas offered a bishopric—but declines it.—The king's letter and proclamation.—Remarkable change in public opinion.—Council's letter to the king.—No Scottish consecrators remaining.—Four gentlemen summoned to London to be consecrated—some account of them.—Wodrow's object.—Burnet's character of Leighton—remark on it.—Writ of summons.—Consecration of the bishops at Westminster.—The consecrators.—Two of the bishops elect ordained deacons and priests.—Nicols's account of the consecration.—Extract from the Lambeth Register.—The surviving English bishops.—New consecrations.—Church of Ireland—its devastation.—The new bishops—their consecration—consecrators and succession.—Dr. Sharp's conduct.—Baillie's account of the disappointment of the presbyterians, and of the restoration of episcopacy.—Survey of Naphtali, and account and defence of Dr. Sharp's negotiations.—Act of council for presentation of ministers.—Bishoprics made donative.—Form of presentation.—The appointments made.—The Book of Common Prayer not restored.—Bishop Sydserf translated to Orkney—not one of the consecrators.—Mr. Skinner's reasons.—Episcopacy traced back.—Complaint of unchurching.—Presbyterians' definition of the Catholic church.—The Roman definition—their definition of the true church—their severities and abusive epithets to the episcopalians.—Opinions of the author of the Cloud of Witnesses and the earl of Clarendon.

1661.—FROM the nature of the proceedings of the last session of parliament, the remonstrators saw that their reign of violence was now at an end; and they made as little doubt that it was the intention of the king's government to restore that church which they had extirpated, although episcopacy had not yet been named. They accordingly used their active exertions to excite the old covenanting spirit in their hearers, and to influence the minds of men against episcopacy. "Several essays were made by ministers to give such a testimony as their present ill circumstances would permit.

Up and down the country many ministers warned their people fully and faithfully of the evils coming on, and the dangers the church of Scotland was in the hazard of, notwithstanding the severe act [to prohibit seditious meetings] we have seen was published against ministers' freedom in preaching, by the committee of estates¹." The act rescissory repealed the ordinance which established presbytery, but the ministers in that interest privately met, and framed a petition to parliament, "craving that a new act might be made for establishing of religion and church government;" and the synod of Glasgow, which was chiefly composed of remonstrators, drew up a declaration, in which they asserted that "the whole synod, and every member thereof, do willingly declare that they are fixed in the doctrine, discipline, worship, and church government by sessions, presbyteries, synods, and general assemblies, as it is now professed and practised within this church; and they are resolved, by the grace of God, so to remain²."

The synod of Glasgow adjourned till the second Tuesday of May, when they re-assembled; but they were discharged by proclamation from meeting, as not being warranted by law. According to the true spirit of presbytery, the members met clandestinely in a private house, where, after some debate, they commissioned three of their number to go to Edinburgh to protest against their being prevented from meeting as a synod; a step they dared not have taken during the headship of Oliver Cromwell. No notice was taken of this protest, "and there were no more synods of presbyterian ministers in Glasgow till September 1787."³ The synod of Fife met at St. Andrews in April, and had agreed to a petition to parliament to ratify the privileges of the kirk; but before they had formally voted the petition, the earl of Rothes interrupted them, and in the king's name commanded silence, and required them to desist from business, and immediately to disperse. The synod of Perth and Stirling met at the latter town, and now that the pressure of their former minister, Mr. Guthrie, was removed by his execution, they formally voted the remonstrance to be razed out of their records, because they said it contained several things that reflected on his majesty and the estates of parliament. The synod made no overture to parliament in favour of presbytery, but quietly awaited the coming events, whose shadows had preceded them. The synod of Dumfries met with the view of remonstrating with the parliament, and had

¹ Wodrow's History, i. 109.

² Ibid. i. 118.

³ Ibid.

agreed to an act to censure and depose all ministers who should comply with episcopacy. They were dissolved and dispersed by the earl of Queensbury and the laird of Hartfield, by orders from the lord commissioner. The synod of Galloway met at Kirkcudbright, and were occupied in drawing up a petition against episcopacy, and for the preservation of the liberties of the kirk; in which they said, the "government of the kirk has been attended with *rich spiritual blessings*. . . . On the other hand, if your lordships will respect *terminus ad quem* of this feared, threatened, and begun change—to wit, lordly episcopacy—first, it is a plant which our Heavenly Father never planted, there being no ground or footing for it in the Word of God; . . . secondly, after the extirpation of it in the times of reformation, its regress has never been fair, but always, through violent intrusion, by the force and fraud of corrupt carnal men, minding their own things, and not the things of Christ; and that, contrary to law, reason, equity, conscience, solemn oaths and engagements, and clear Scripture light. Thirdly, it is a government that we are *solemnly bound*, as by the law of God, so by the *OATH of God upon us, to EXTIRPATE from the foundation*." The earl of Galloway, in the king's name, dissolved their meeting. John Park, the moderator, protested against his lordship's proceedings, as an injury done to a court of Christ, and which was incompetent for the civil magistrate to execute. At the synod of Lothian, which met in Edinburgh, some of the moderate resolutions made a motion for censuring the remonstrators, which occasioned a warm debate and opposition from Mr. Douglass and others; in the midst of which the earl of Callander and sir Archibald Stirling entered, and "required the moderator to purge the synod of rebels," meaning the remonstrator brethren, and to threaten them with civil penalties, and to expel them, with which the synod complied, and several of their members were suspended¹.

The synods above named assembled in those parts of the country where the remonstrators were most numerous; and it is instructive to observe the instinctive fears which that party entertained of the restoration of episcopacy, although not one word had been said of it in parliament or by the executive government. On the north side of the river Tay, which is the largest, and was then the most populous part of the kingdom, the synods were not disturbed by any commissioners from the crown, for being altogether episcopalian, the govern-

¹ Wodrow, i. 118.

ment had nothing to fear from their proceedings. There, episcopacy had taken deep root, and had never been wholly extirpated, but both the clergy and the people had succumbed to the pressure of the times; and they now waited with quiet satisfaction for that change of which no one seemed to entertain any doubt. There also the moderate presbyterians, or resolutioners, were most numerous, and who made no opposition to the hierarchy. The extensive synod of Aberdeen met in April, and agreed to the following petition to the lord commissioner, which, as it had considerable influence on the king's council, I here insert entire. There was not a dissenting voice in the whole synod, and it was signed by fifty-three parish ministers:—

“ To his Grace his Majesty's Commissioner, and the High Court of Parliament :

“ The humble address of the synod of Aberdeen :—

“ The various dispensations wherewith the righteous and wise Lord of heaven and earth hath been exercising us these many years by-gone, cries aloud to all the subjects of Scotland, who have not laid aside all sense of sin and duty, to reflect seriously upon the public transactions of this church and nation; especially upon the deportment thereof to the king and the royal authority; and while the Lord is pleased to fix such thoughts upon our spirits, we cannot, unless we would blindfold our own consciences, stop the mouth thereof, hide our sin in our bosom with Adam, and keep fast deceit under our tongue, but give glory to God in an humble and ingenuous confession, as of the national guiltiness of Scotland, so of our own iniquity, in so far as we have been any way accessory to these sinful and rebellious affronts and wrongs, which have been put upon the royal authority, whether during the reign of our late most gracious sovereign, that blessed martyr Charles I., or since his horrid murder, to our gracious king, who now, in the Lord's most wonderful and gracious providence, reigns over us; and particularly, we acknowledge these sad and grievous sins to be lying on the land, and upon us, according to the several degrees and measures of our accession, whether driven thereto by force and violence of a prevailing party, through human weakness in that hour of temptation, or by sinful silence and want of courage to have pleaded against such courses; viz. the rising in arms against the king; the preaching up the lawfulness of defensive arms by subjects against the supreme magistrate, which is contrary to scripture,

to all sound antiquity, to the constant practice of the ancient primitive church, to the judgment of all sound orthodox divines, contrary to our national [Knox's] Confession of Faith, and to the oath of allegiance: popular reformation without, much more against the king's consent and authority: the assisting the king's enemies, by joining our forces with them, while as they were in rebellion against their sovereign lord and master: the preaching down the king's cause and interest, and preaching up the interest of his enemies: the giving out a paper called 'A Seasonable Warning for delivering up the King at Newcastle,' and that without any assurances, either by writing or pledges for his majesty's security, safety, honour, and freedom; although there was no sufficient hostage in that land to have been given for his sacred person—the preaching against the intended relief of his majesty of precious memory, when he was a suffering prisoner in the Isle of Wight, in 1648, where he was detained till at last these usurpers brought him to that fatal block—the putting unjust limitations and restrictions on our gracious king, who now reigns over us by God's blessing (in despite of all open and veiled enemies, who of late have put on the robe of loyalty) before he was admitted to the exercise of his royal power—the indignities which were put upon his sacred majesty by a factious and treacherous party, in that infamous and treasonable Remonstrance—the opposing of the public Resolutions, both of king, church, and state, by that party [the Protestor's] for the most just and necessary defence of king, religion, honour, and all which was dear to men and christians, the land being invaded, and one-half thereof being possessed by an army of sectaries, who by force and fraud had enslaved their own native country, that ancient and famous kingdom of England. And although these sins of the remonstrance, opposing of, and protesting against the public resolutions, be not a national guiltiness, both the one and the other being testified against and condemned by the generality of the state, church, and country; yet these being the guiltiness of a party in the nation, we could not omit them as matters of just provocation against God Almighty—the excluding the king's interest out of the state of the quarrel betwixt his majesty's own army and that usurper and tyrant, Oliver Cromwell, by that infamous act of the West Kirk—the forcing of the king's majesty, being then in their power, rather as a noble prisoner than as a free king, sore against his royal will, to subscribe 'declarations' against himself and his royal family—the little sympathy with his majesty in his sufferings abroad, the sinful neglect of duty, for fear of men, in not praying for

him in public—sinful silence in not preaching absolutely against the usurpers—too much, at least, passive compliance with them, sitting down, like Issachar, under the burthen, and being, like Ephraim, a silly dove without a heart. For these, and sins of a like nature, done against the royal authority, God, in his justice and wisdom, brought and kept us long under a sad captivity and bondage. And have not all the land, and we, according unto the measure of our accession, more nor [than] reason to confess guiltiness before God, men, and angels, and to entreat earnestly for mercy therefor, at the throne of grace? And now, since it hath pleased the eternal God, by whom kings reign, to bring back our native king, and settle him upon his royal ancestors' throne, for which we shall desire to bless the Lord while we live, we conceive that upon this signal mercy, God calls upon us to engage, like as we hourly do in the strength of God engage ourselves, never to be accessory to any disloyal principle or practice, but declare our utter abhorrence thereof, and of every thing which may have any tendency that way; obliging not only ourselves to subjection, obedience, and submission to the royal authority and commands, but also to preach loyalty, subjection, obedience, and submission, and to press the same from the Word of God, and according thereto, unto all his majesty's subjects under our ministry; and that it is sinful and ungodly for subjects to resist the king's authority; but that in case of dissatisfaction in any command by his majesty, it is their duty to suffer.

“ And because it hath pleased the king's majesty and his high court of parliament, for the over-reaching of many ministers in Scotland, their outstretching of presbyterial government, by making it run in an eccentric line, in meddling with civil concerns, and topping with the supreme authority, and upon other grave considerations known to themselves, which becomes not us to search into, to take away and rescind the laws and acts of parliament, whereby the government of this church had any civil authority. That it would please the king's commissioners' grace and the high court of parliament to join with us in this our earnest petition, and to transmit the same to his sacred majesty, that he will allow us to be still under his majesty's protection, and that he may be pleased in his wisdom and goodness to settle the government of this rent church, according to the Word of God, and the practice of the ancient primitive church, in such a way as may be most consistent with the royal authority, may conduce most for godliness, unity, peace, and order, for a learned, godly, peace-

able, and loyal ministry, and most apt to preserve the peace of the three nations. For doing whereof we shall be earnest to supplicate God, in his majesty's behalf, for wisdom, counsel, and direction.

"We have conceived this emission to be a duty lying upon us, in reference to God, to the king, to this church and land, and for the exonerating of our own consciences before the world. And although this has been our principal motive, yet it hath been no small encouragement to this synod, that we have been put in remembrance by that noble and worthy lord, the earl marischal, in his letter to the Assembly to this effect; and for which the synod renders his lordship hearty thanks, considering that he having so great influence in this corner of the land, may be very instrumental for advancing religion, justice, and loyalty here. And this paper we have ordained to be registered in our synod books, *ad futuram rei memoriam*: and in testimony of our unanimity herein, we have all subscribed it with our hands, at King's College, at Aberdeen, the 18th of April, 1661 years."

In the synod of Ross, Thomas Hogg, minister of Keltarn, a remonstrator, was deposed by MR. MURDOCK MACKENZIE, the moderator, on the vote of the synod, for refusing to renounce and disclaim the remonstrance. Now, says Crookshanks, "we may begin to see the dismal consequences of admitting *the malignants* to power and trust, and what efforts were made against the encroachments that were now making¹."

On the rising of parliament, earl Middleton hastened up to court to lay an account of the proceedings before the king; and as the parliament had ordered a letter to be written to the king, the lord chancellor and the earl of Rothes were sent up to deliver it. The sixteenth act of the last session recognised the king's right to order the external government of the church; and it also declared his majesty's determination to maintain it in the same state as it had existed in his father's and grandfather's reigns. On the arrival of earl Middleton, the Scottish privy council in London was immediately summoned, and the commissioner assured the king that episcopacy was desired by the majority of the nation, and produced the petition of the synod of Aberdeen as a proof of his assertion. As soon as the king had thanked his commissioner for his important services, his lordship addressed his majesty, and said—"May it please your sacred majesty; you may perceive by the account I have given

¹ Crookshank's History of the State and Sufferings of the Church of Scotland, vol. i. 87.

of your affairs in Scotland, that there is no present government as yet established in that church. Presbytery is, after a long usurpation, now at last rescinded; the covenant, whereby men thought that they were obliged to it, is now declared unlawful; and the acts of parliament, whereby it was fenced, are now removed; so that it is arbitrary to your majesty to choose what government you will fix there; for to your majesty this is by the last act of supremacy declared to belong. But if your majesty do not interpose, then episcopacy, which was unjustly invaded at once with your royal powers, will return to its former vigour: none but the remonstrators would oppose its restoration, and that the resolutioners, with a trifling exception, would readily embrace it." The earl of Glencairn added, "that the insolence of the presbyterians had so far dissatisfied all loyal subjects and wise men, that six for one in Scotland longed for episcopacy, by which no rebellion was ever hatched, that government having still owned the royal interest; whereas presbytery had never been introduced into any country without bloodshed and rebellion, as at Geneva, in France during the civil wars, in Holland when they revolted from the crown of Spain, and now *twice* in Scotland; once by the regent Moray, when queen Mary was banished, and, lastly, in anno 1637." Rothes likewise said, "that though he had not seen the first rise of that innovation, yet, in 1648, he was witness to their ruining the Engagement, and in 1649 and 1650, to their indiscreet usage of his majesty." Lauderdale opposed the immediate restoration, and contended that the Scots were very unmanageable on the subject of religion, and he therefore proposed that his majesty might either call a General Assembly, consult the provincial synods, or call the ablest divines on either opinion to Westminster. Middleton answered, "by assuring him that the insolences committed by the presbyterians while they governed, and the ten years' usurpation that had followed, had made such a change in people's tempers, that they were much altered since he had been among them. That those three ways only tended to continue presbytery, for the ministers who had governed all lately would still have sufficient influence to procure the election of lay-elders who were of their own principles and sentiments, which would still keep things in the same state of anarchy and turbulence as formerly. But as presbytery was now wholly abrogated, neither general nor provincial assemblies could be legally called together; for such a meeting would be a virtual repeal of the Rescissory Act." Middleton must have been a better judge of the tempers and inclinations of the people than Lau-

derdale, who had been confined to the Tower ever since the battle of Worcester, whereas Middleton had lived among them, and was just fresh from the scene. As it was, Lauderdale, with the duke of Hamilton¹ and sir Robert Murray, only advocated some delay; but expressed no other objection than to the suddenness and haste of the change, *fearing the people*; and pressed for letting things remain as they were till the king should be better satisfied concerning the inclinations of the people. Delay would have produced contention and farther division between the two parties of presbyterians, and would have left the episcopalians in a state of suspense and uncertainty, and brought on much of the confusion from which the church had now the prospect of escaping. The lord chancellor Clarendon summed up the arguments on both sides; and his majesty closed the meeting by saying, "he perceived that most voices were for episcopacy, and therefore he resolved to settle it with all diligence; for as the government of the state was monarchy, so that of the church should be prelacy." By the private advice of Lauderdale, Rothes and Glencairn were commanded to return to Scotland, and they were the bearers of the king's letter to the council, containing the resolution just passed, and which will be afterwards given. Burnet represents all the other members of the council to be "earnest for the change," and with whom the king's own inclination coincided; for he said that "as the government of the state was monarchy, so that of the church should be prelacy²."

It has been said that "when Lauderdale saw that the prelatial part of the Scottish council were resolved upon the restoration of bishops in Scotland, he fell in with their views as warmly as Middleton himself had done. This astonished Glencairn, who knew Lauderdale to be a violent presbyterian by profession. He asked Glencairn whether he himself was not for bishops? 'Yes, my lord (replied the other), but you mistake my conduct in that affair. I am not for lordly prelates, such as were in Scotland *before* the reformation, but for a limited, sober, moderate episcopacy.' 'My lord (replied the other with an oath), since you are for bishops, and must have

¹ William Douglas, earl of Selkirk, eldest son of the first marquis of Selkirk, married lady Ann Hamilton, eldest daughter of that duke of Hamilton who was beheaded. As his brother, the last duke, formerly the earl of Lanerk, died without issue, lady Ann succeeded to the title, and he took the name of Hamilton, and at the request of the duchess he was created duke in 1661 by Charles the Second.—Peterkin's Pocket Peerage, i. p. 63.

² True and Impartial Account of the Life of Archbishop Sharp, p. 54.—Burnet's Own Times, i. 236-238.—Memoirs of the History of Scotland, p. 52-59.

them, bishops you shall have, and higher than ever they were in Scotland, and that you will find¹." Another anecdote of Lauderdale is told, which, *if true*, is a very severe reflection on that nobleman. It is, that as he came out from this council, he met Dr. Sharp walking with the earl of Stirling, to whom, in an angry tone and a threatening gesture, he said—"Mr. Sharp, bishops you are to have in Scotland; but whosoever shall be archbishop of St. Andrews, I will smite him and his order under the fifth rib²." This story *may* be true, although it is not very probable; and subsequent events throw some doubt upon its authenticity. Nevertheless, his political conduct was often very paradoxical; for he supported the church with one hand whilst he undermined it with the other. The debates in this council laid the foundation of that enmity and political emulation betwixt Lauderdale and Middleton which effected the ruin of the latter nobleman³.

Mr. Sharp did not conceal from his constituents, when they sent him to advocate their interests at the restoration, that there was not the least doubt of the re-establishment of episcopacy in England, and that the English sectarians were favourably disposed towards it. Although he shewed his attachment to presbytery at that time, yet he gave his friends no encouragement to hope that it would be established in Scotland. He had been appointed one of the king's chaplains; but on his return he resumed his parochial duties at Crail, where he remained till he was summoned to court with the lord chancellor. It is possible that he may have represented to the king what both Baillie and Douglas had informed him in their letters, and what could not have escaped his own personal observation, that the "people were hankering after bishops," and "feeding themselves with the prospect of episcopacy." He was not a privy councillor, and consequently could not tender advice to the sovereign in council, although Burnet, indulging in his hatred, has said that he did. The introduction of the episcopal order into Scotland was determined on by the king himself, with the advice of his constitutional advisers; and neither Mr. Sharp's concurrence nor his opposition could have altered that determination. He was educated by two of the greatest lights of the Scottish church, and had studied at Oxford; besides, it is not to be supposed that he was ignorant of the episcopal controversy. His adversaries accuse him of all manner of treachery to their cause *after* he had accepted the arch-

¹ Guthrie's General History, x. 96. ² True and Impartial Account, 54.

³ Wodrow's History, i. 224.

bishopric of St. Andrews; but there was not the least whisper of any suspicion of his having betrayed the presbyterian interest *before* that time. The following letter from Mr. Baillie, addressed to him at London, and dated the 29th of August, will shew the confidence that had been reposed in him up to the moment of his appointment, and if from any morbid feeling he had rejected the offered primacy, it would have been conferred on some one else, and his rejection of it would not have altered the settled determination of the government. But, as "the people were hankering after bishops," and in the other two kingdoms the ancient episcopacy had been restored, it was very reasonable for his majesty and his advisers to adopt the suggestion of the General Assembly of 1641, and "heartily endeavour that there might be in both kirks, one confession, one liturgy for public worship, one catechism, and *one form of kirk government*, which would prevent the arising or spreading of *heresy and schism* among themselves¹."

"DEAR JAMES,—What you are doing there now, I can learn from no man. I am sorry that none of our old friends keep correspondence with you at this so necessary a time. For myself I rest on what you wrote to me, when you went from this, that your journey was not for any change in our church. Divers times since the king came home, by your letters, you made us confident there was no change intended for us. Blessed be God! hitherto there has been none offered. What now there among you may be in agitation, you on the place know. *You were the most wise, diligent, and successful agent of the nation* in the late dangers of our church in Cromwell's time; your experience and power now is greater. In this very great danger, apprehended by many, of other changes and severe troubles from the episcopal party, both *here* and there, I hope God shall make you as happy an instrument to prevent all our fears, and to allay all our present sorrowful perplexities, as you have oft been before. Let others think and speak of you as they please, and in their folly give you matter of provocation, if you were not wise, grave, and fearing of God, yet you shall deceive us notably, and do us a very evident evil turn before I believe it. Since first acquaintance you have ever been very faithful and loving to myself on all occasions.

* * * * *

The other courtesy I desire to be in your debt for is, that if his majesty be pleased to send for any from this, to speak with

¹ Ante, chap. xviii. p. 68.

anent the church, as he has twice declared he purposes, you would see effectually that I be none of them ; for neither am I able, in this my sixtieth year, and frequent infirmities, for any such journey whether by sea or land ; nor does my mind serve me to give advice for the least change in our church, as you well know ; but with all my strength I behoved to dissuade it, which would but *offend his majesty* ; whom I will be loather in the least to offend than any mortal creature, for the particular respect I have and ever have had, since my first acquaintance in the Hague. . . . (Signed) R. BAILLIE."

FROM THIS LETTER it is evident that the Scottish nation were not taken by surprise when they heard of the restoration of the ancient government of their church ; for Baillie declines to be presented to the king lest he should *offend* him by opposing a measure on which he knew that his majesty was resolved, and the object of whose resolution was evident to all who had their eyes open. "It is evident," says the editor of Kirkton's History of the Church of Scotland, "that Sharp has been more blamed than he deserved for promoting episcopacy in Scotland. The measure would have been carried though without his aid, and in spite of his opposition. And the heavy charge of having deceived his constituents at the Restoration, when sent up from Scotland to court, *still remains unproved*. The presbyterians always *affirmed* him guilty of this treachery [but never have *proved* it] ; but his own party asserted that while employed by the presbyterians, he *acted fairly*, and bore *no commission* from them when he gave way to the stream of episcopacy. Moreover, Wodrow is accused of great injustice in garbling Sharp's letters to Douglas ; and Burnet is known to have been *so great an enemy* to the archbishop that his conduct is not to be estimated from the statements of that *most spiteful and disengenuous* author¹." A presbyterian writer says, "We have the narrative of his [Sharp's] behaviour and negotiation in the words of his *capital enemy*, Mr. Robert Douglas, as they are printed by Mr. Wodrow. *Neither* of those authors, however, have been able to fix upon Sharp any *other* charge than barely that of accepting the archbishopric. When we compare Sharp's own account with those of Wodrow, he seems, while he was charged with his commission from his brethren, to have acted not only honestly but zealously in his trust, even after he scarcely could have a reasonable prospect of success ; and I cannot see how

¹ Page 82.

the transition from presbytery to episcopacy can merit the abuse that has been poured forth against Sharp's morals, *especially* by bishop Burnet. . . . The presbyterian party was certainly *very low* at this time in Scotland; and I am inclined to think that Sharp was consulted about the persons who were to be made bishops¹."

IN THE ABSENCE of any real cause of complaint against Dr. Sharp, a charge of duplicity has been brought against the king, at his instigation as it has been gratuitously assumed, from the alleged ambiguity of the king's letter to Douglas. If we recur to past history, it will be evident to the most undiscerning that Charles could only mean the episcopal church, which had been overturned by a faction without the least colour of law, that assembled at Glasgow in 1638, and in the face of a powerful protest by the bishops, and their subsequent protest dated at Newcastle². The madness of the assembly of 1640 was only yielded to by Charles I. from the necessity and force that was upon him, and from the advice tendered to him from the earl of Traquair, that "*bishops being by all the laws of Scotland one of the three estates of parliament, no act that passed without them could have force in law, much less the act that abolished them, especially when they were not appearing, nor consenting, but protesting against it*"³." In the Glasgow assembly, the inferior clergy who were then present were guilty of the most horrible perjury, having taken solemn oaths of obedience to their bishops, which they completely disregarded, and from which, in imitation of the Roman apostolic power, Henderson, their moderator, absolved them. The bishops were not only excluded from that assembly, but they were driven out of their native country, and threatened with death if they returned to it. In the face of their protests, and the proclamation of the king, crying down the assembly and declaring the members traitors, the subsequent establishment of presbytery cannot be accounted a legal settlement; besides, the greatest proportion of the clergy and of the people were episcopalians in their affections. The episcopal clergy in the northern parts shewed great repugnance to attend the assemblies, and repeated complaints were made of their defection. Those of Aberdeenshire had taken the first opportunity after the Restoration to make their desires known to the government, and it would have been unreasonable in Charles to have shut his ears to the earnest wishes of the faithful and loyal

¹ Guthrie's General History, x. 100.

² *Ante*, vol. i. ch. xiv. p. 595-611.—Vol. ii. ch. xvi. p. 21, 22.

³ *Ante*, vol. ii. ch. xvi. p. 18.

portion of his people, who had suffered so much for their attachment to himself and to his father, and to have gratified the desires of those who had been rebels and traitors to both. The episcopal church, therefore, was that which "*was settled by law*;" presbyterianism was merely a reckless faction, which, for the time, overpowered the law, crushed the constitution under their theocratical democracy, and had sold and murdered the late king. A free and lawful parliament declared all the public transactions, both of the assemblies and of the conventions or parliaments, to have been altogether against the laws of the kingdom, and their whole acts to be null and void. Although it was not so declared, yet, in point of fact, when the pressure of the rebel usurpation was removed, by the restoration of the king to the lawful exercise of the government, but particularly by the act rescissory, the episcopal church returned to its former place in the constitution, and all that was necessary to be done was an act of the legislature to secure it from the fanaticism of the remonstrators. But it remains for presbyterians to shew which of the two factions into which their body was then divided would have been established, had the king been disposed to have kept them in the maimed estate in which Cromwell had left them; for he disestablished them, and deprived them of all government in presbyteries, synods, or assemblies. The events about to be detailed clearly indicate that the moderate or resolutioner presbyterians had no serious objections to episcopacy, for, with a very few exceptions, they all conformed without any opposition to that government. But this point is set at rest by Douglas himself, who states on the authority of the earl of Middleton, that the ancient church was decidedly meant in the king's letter. He says, "When the parliament met, Middleton sent for me at his coming, telling me the king had commanded him to do so. We spoke at large upon the condition of our kirk, and I told him my mind freely, if the king would not break the covenant, nor alter our government, I could assure him his majesty would get as much as his heart could wish, with the affections and love of all the people; but many inconveniences would follow if there were a change of government, for prelates never yet proved profitable to kirk or commonwealth. He assured me, and I think it was true, he had no instructions for the change of the government, and we were still borne in hand that there would be no change. In the meantime, Sharp, fearing supplications, dealt earnestly there should be none; but finding himself disappointed, he caused the commissioner to send for some of us. The commissioner, chancellor, and some

others present, did allege that the king's letter did not bear any thing of presbyterian government settled, *but the government SETTLED BY LAW, which was EPISCOPAL*¹."

Since, therefore, the presbyterians were at the present time proposing to force their covenant uniformity upon the three kingdoms, and since they were but a mere faction who demanded that two large kingdoms should be placed under their rule and government, Charles cannot be blamed for yielding to the wishes of the three kingdoms, by restoring the government of the church under which the empire had enjoyed so much peace and prosperity until they were disturbed by the turbulence and ambition of the presbyterian and popish factions. In prosecution, therefore, of his patriotic design, and in which he seems to have been perfectly sincere, the king, with the advice of his council, issued the following proclamation, dated the 10th of June, in which he dutifully acknowledges the power and goodness of God:—

"BY HIS OUTSTRETCHED ARM, wonderfully to bring us back in peace to the exercise of our royal government, we did apply ourselves to the restoring of our kingdoms to that liberty and happiness which they enjoyed under the government of our royal ancestors; and whereas, our parliament, by their act of the 29th March, hath declared that it is our full and firm resolution to maintain the true protestant religion, in its purity of doctrine and worship, as it was established within that our kingdom during the reigns of our royal father and grandfather, of blessed memory; and that we will be careful to promote the power of godliness, to encourage the exercises of religion, both public and private, and to suppress all profaneness and disorderly walking; and for that end will give all due countenance and protection to the ministers of the gospel, they containing themselves within the bounds and limits of their ministerial calling, and behaving themselves with that submission and obedience to our authority and commands that is suitable to the allegiance and duty of good subjects. And as to the government of the church, that we will make it our care to settle and secure the same in such a frame as shall be most agreeable to the word of God, most suitable to monarchical government, and most complying with the public peace and quiet of the kingdom: and in the meantime, that we do allow the present administration by sessions, presbyteries and synods (they keeping themselves within bounds, and behaving themselves as said is), and that notwithstanding of the act

¹ Douglas's Narrative, cited by Wodrow, i. 227.

passed that day, rescissory of all pretended parliaments since the year 1638. Therefore, we have thought fit by this our proclamation, not only to declare our gracious acceptance of these ample testimonies of the duty and affection of that our parliament, by which the world may take notice how unanimously loyal that kingdom is, and how hearty in our service, of which we ourselves were ever confident; but also to make known our firm resolution to maintain and preserve that our kingdom in their just liberties: and likewise to make good what our parliament have declared in our name, as to matters of religion. And considering how much our interest, and the quiet of that kingdom, is concerned in the right settlement and peace of that our church, which through the confusions of these latter times hath been much discomposed, we do purpose, after mature deliberation with such as we shall call, to employ our royal authority, for settling and securing the government, and the administration thereof, in such a way as may best conduce to the glory of God, to the good of religion, to unity, order, and to the public peace and satisfaction of our kingdom."

IN A LETTER to the lord chancellor, and in another to lord Lauderdale, Baillie earnestly, but temperately, represents to them the difficulty and danger that would arise in the restoration of the bishops. He enumerates a list of places in the dioceses of Glasgow and Galloway, from which, he said, he could procure petitions in the course of a few days against that measure; and were it not for his infirmities and age, he would have gone to court, and, in imitation of Willie Hill, king James's court fool, "to greet [shed tears] to him [the king], and show him how he was misinformed of the state of our country—that bishops would become so lovely creatures to us, as we were ready to receive them without so much as a supplication to the contrary." He confined the evidence which he proposed to produce against episcopacy and in favour of presbyterianism, entirely to the synods of Galloway, Dumfries, and Argyle; but left the other parts out, where episcopacy had already been petitioned for, and where it was heartily desired and unanimously recognized and accepted. But after all, his opposition had not been very strong, for he concludes his letter to Lauderdale with, "If the most gracious prince in the world be not fully informed of all these things in time, before he be engaged, lie on you all who are about him. Let the king do what he will, he will ever get the blessings of us all; but believe it, that the too just grieves of the people

will light at last sickerly [securely] on some of your heads¹."

AS DR. SHARP had always been held in such estimation by the whole body of the resolutioners, and his own abilities being of such a superior order, the king considered him the fittest person to be placed at the head of the church, and he presented him accordingly, of his own proper motion, to the see of St. Andrews, and empowered him to offer a bishopric to Mr. Douglas and to some others whom, from personal recollection, the king himself selected. He returned in August, and stated the king's proposal to Douglas, who declined to accept the episcopal office. Douglas himself, as cited by Wodrow, says, "Sharp came to me before he went to London, and I told him the curse of God would be on him for his treacherous dealing. And that I may speak my heart of this Sharp, I profess I did no more suspect him, in reference to prelacy, than I did myself²." This confession is most inconsistent, after having given him his malediction; and it is strong evidence that the hatred and malignancy against Sharp arose *after he had received* the primacy from the king. But as the curse was uttered *before* he went to court, so on being offered preferment he gave the following temperate and respectful answer:—"Brother, I render to his majesty a thousand thanks, but I have dipped so far in *oaths* and the *concerns of the late troubles*, and particularly in my sermon before the king at his coronation, and now being turned aged and infirm, I want strength to sustain the weight of the office and the difficulties which I should be obliged to encounter. But if you can comply who are young, and *lie not under the same engagements*, I neither can nor will blame you³." Douglas's answer shews the general temper and feelings of the moderate presbyterians to have been sobered down from the high state of excitement in which they had formerly lived; and as the liturgy was not introduced, but the same extemporary form of worship was allowed to continue, Douglas, and the few resolutioners who still adhered to presbyterianism, attended their parish churches, and received the eucharistic sacrament from the episcopal clergy, till the Indulgence or Toleration afterwards enabled them to meet in separate places of worship. On the return of Glencairn the chancellor, and Rothes, they presented the king's letter to the privy council, dated the 14th of August, as follows:—

¹ Letters, iii: 474-478.

² Wodrow's History, i. 228.

³ True and Impartial Account, 52-55.

“ CHARLES, R.

“ Right trusty and well-beloved cousins and councillors, we greet you well. Whereas, in the month of August, 1660, we did, by our letter to the presbytery of Edinburgh, declare our purpose to maintain the government of the church of Scotland, settled by law; and our parliament having since that time not only rescinded all the acts since the troubles began, referring to that government, but also declared all those pretended parliaments null and void, and left to us the settling and securing of church-government; therefore, in compliance with that act rescissory, according to our late proclamation, dated at Whitehall, the 10th of June, and in contemplation of the inconveniences from the church-government, as it hath been exercised these twenty-three years past, of the unsuitableness thereof to our monarchical estate, of the sadly experienced confusions which have been caused during the late troubles, by the violences done to our royal prerogative, and to the government civil and ecclesiastical, settled by unquestionable authority, we, from our respect to the glory of God, and the good and interests of the protestant religion, from our pious care and princely zeal for the order, unity, peace, and stability of that church, and its better harmony with the government of the churches of England and Ireland, have, after mature deliberation, declared to those of our council here, our firm resolution to interpose our royal authority for restoring of that church to its right government by bishops, as it was by law before the late troubles, during the reigns of our royal father and grandfather, of blessed memory, and as it *now stands settled by law*. Of this, our royal pleasure concerning church-government, you are to take notice, and to make intimation thereof in such a way and manner as you shall judge most expedient and effectual. And we require you and every one of you, and do expect, according to the trust and confidence we have in your affections and duty to our service, that you will be careful to use your best endeavours for curing the distempers contracted during those late evil times, for uniting our good subjects among themselves, and bringing them all to a cheerful acquiescing and obedience to our sovereign authority, which we will employ, by the help of God, for the maintaining and defending the true reformed religion, increase of piety, and the settlement and security of that church in her rights and liberties, according to law and ancient custom. And in order thereunto, our will is, that you forthwith take such course with the rents belonging to the several bishoprics and deaneries, that they may be restored and made useful to the church, and

that according to justice and the standing law. And moreover, you are to inhibit the assembling of ministers, in their several synodical meetings through the kingdom, until our further pleasure, and to keep a watchful eye over all who, upon any pretext whatsoever, shall by discoursing, preaching, reviling, or any irregular or unlawful way, endeavour to alienate the affections of our people, or dispose them to an ill opinion of us and of our government, to the disturbance of the peace of the kingdom. So expecting your cheerful obedience, and a speedy account of your proceedings herein, we bid you heartily farewell.

“ Given at our court at Whitehall, August 14, 1661, and of our reign the thirteenth year. By his majesty's command,

(Signed)

“ LAUDERDALE.”

AFTER READING this letter, the counsellors sat mute for some time, when at last Tweeddale and Kincardine proposed that the council should request his majesty to consult the provincial assemblies, so as to remove all blame from his majesty; but this was opposed, and eventually these gentlemen acquiesced. A proclamation was immediately issued, “ discharging all persons who owed any dues to pay them to any one else, conform to the king's letter; and a letter was returned to his majesty from the council, shewing their compliance and satisfaction; and it was appointed to be subscribed by all the counsellors, that they might testify their accession to the restoring of episcopacy, which was settled after twenty-five years' interruption¹.” The proclamation was a mere echo of the above letter; and on the 6th of September it was printed and published, and proclaimed at the cross by the lyon king-at-arms, with great solemnity. The temper of the times was so much changed for the better that no treasonable protests by treacherous barons, nor anathemas by presbyterian ministers, now insulted the royal proclamations; but, to give greater honour to the act of council, the lord provost and the whole of the town council were present in their robes and with their mace of office. Mr. Nicol, who lived and wrote at the time, and who spoke the opinion of the majority, shews that nearly the same unanimity prevailed out of doors as had characterised the debates on this subject in parliament:—“ Now,” says he, “ let the reader stay a little, and consider the change of the time, and the Lord's wonderful works and dispensation therein, and to call to mind the days of old; that is, in Novem-

¹ Memoirs of the History of Scotland, 59, 60.

ber, 1638, and in October, 1639, the covenant was solemnly sworn and ratified in several general assemblies and parliaments. Likewise the league and covenant was sworn and subscribed in October, 1643, and ratified and approved by sundry acts of parliament, wherein the hail archbishops and bishops of Scotland, by the acts of the Assembly were deposed, and eight of them excommunicated, as alleged troublers of the peace of the kirk and kingdom, in bringing in the Service Book, Book of Canons, and establishing a tyrannical power over the kirk; for establishing the articles of Perth, for observation of festival days, for kneeling at the communion, for administration of the communion in private places; for change of the government of the kirk; for their riding, sitting, and voicing in parliament; for sitting on the bench as justices of the peace; for their keeping and authorising corrupt assemblies at Linlithgow, Glasgow, Aberdeen, St. Andrews, and Perth; for restraining of free general assemblies; and for sundry more causes, specified and expressed in the acts of general assemblies and acts of parliament: for which they were *extirpated*, deposed, and eight of them excommunicated, and lying under the sentence of excommunication ever since; but now received and taken in as governors of the kirk, wherein a great change and alteration may be seen in a few years.

"But now, since it has pleased his majesty, with advice of the honourable lords of his highness's privy council, to restore bishops to the government of the church in Scotland, as is now declared by the former proclamation, our prayers and supplications shall be to the great Lord of heaven, to bless his majesty with many and happy days, to be a nurse-father to his church, and to make choice of pious and modest men for that government; and that the Lord would endue them [the bishops] with the spirit of their callings and high functions of the ministry whereunto they are called to the glory of his holy name, and the profit of this poor kirk and kingdom¹."

WODROW, however, called the removal of the screw which had so long pressed down the church, and this public act for its restoration, "*iniquity established by law*." The same day, the 6th of September, the council transmitted an account of this day's transactions to his majesty, with the following letter:—"We no sooner perused your majesty's letter of the date of the 14th of August last, but in the acknowledgment of your majesty's piety and care for the preservation of the protestant

¹ John Nicol's *Diary of Transactions in Scotland*. Printed for the Bannatyne Club, 4to. pp. 342, 343.

religion, the establishment of the right government of the church, and peace and happiness of all your subjects, we did immediately issue a proclamation, to be printed and published, fully relating to all your royal commands, whereof we have sent a copy herewith enclosed. We hope all your majesty's good subjects will acquiesce and give due obedience to them, and thereby testify their faithfulness and affection to your majesty's government and authority. We shall endeavour to have a watchful eye over all persons, and be ready to prosecute your majesty's commands in order to what is enjoined, as becomes."

BUT AS KIRKTON SAYS, "episcopal ordination being a flower not [then] to be found in a Scottish garden," it became necessary to apply once more to the church of England for that "flower," which the covenanters had effectually extirpated from the garden of the Scottish church. All save one of the prelates, whom the violence of the usurpation of the Glasgow Assembly had driven into exile or into apostacy, had died without having provided for any succession. This may in some measure, perhaps, have been owing to the late king having signified his desire to the bishops, that they should not hold meetings, nor enter into any synodical acts, during their exile, lest they might have given umbrage to their persecutors at home. Dr. Sydserf, bishop of Galloway, was alone permitted, by divine providence, to witness the restoration of the ark of God; and Baillie, in his letter to Dr. Spang of 31st January, classes him with Bramhall, or Bramble, as he usually calls him, and several other illustrious English divines, which is a contradiction to Burnet's malicious gossip, that "he was little thought of¹." But single-handed he could not communicate the apostolic gift to those who were to be selected for the vacant sees; for ever since the days of the apostles three bishops have always concurred in the consecration of another bishop. Charles therefore followed his grandfather's example, and summoned to London James Sharp, lay-minister of Crail, and eldest son of Mr. William Sharp, sheriff's clerk of the county of Banff; James Hamilton, parish priest of Cambusnethan, in the county of Lanerk, and diocese of Glasgow. He was the second son of sir John Hamilton, of Broomhill, in the same county, and brother of the first lord Belhaven. He was ordained priest by archbishop Lindsay in the year 1635; and it was entered in the synodical books of the diocese of Glasgow, that he was severely handled by the remonstrators in

¹ Baillie's Letters, iii. 444.

that synod "for using so long that great treasure of rational devotion (I mean *our Liturgy*) in his church at Cambusnethan¹." Andrew Fairfoul, priest, was the son of a respectable burghess of Anstruther; of whom the prejudiced Wodrow says, "he was a man of some learning and neat expression²." He had been ordained priest, most probably by archbishop Spotswood, on a title as chaplain to the earl of Rothes; he was next presented to the living of North Leith, and at the time when Charles was in Scotland he was parish priest of Dunse, and had several times the honour of preaching before his majesty, and so much to his majesty's satisfaction, that after the Restoration he nominated him, of his own free choice, to the see of Glasgow. Wodrow's account of these men is very bad indeed; but his object is not only transparent throughout his work, but the editor has confessed what were his views, by publishing the advice of a Mr. Redpath in a memoir of Wodrow's life:—"That what is merely circumstantial might be left out, *except where it is necessary for illustrating the matter, or of AGGRAVATING the crimes of our enemies*³." At no time does he ever lose sight of this advice, and never admits a good quality without a qualification, in those whom he calls their enemies. Burnet also assists in heaping obloquy upon them in his self-sufficient gossiping way; for he bears false witness against them all. Robert Leighton, a lay-minister, was the son of that Dr. Leighton, who, in the beginning of the troubles which led to the late rebellion, wrote "Zion's Plea against the Prelates," which he dedicated to the parliament, in which he incited the members to *smite the prelates under the fifth rib*; and advised the Commons, in case the king should dissolve them, *not to quit the state vessel*; that is, to sit in defiance of the crown. Even Burnet admits that "he was a man of a violent and ungoverned heat. He sent his son Robert to be bred in Scotland, who was accounted a saint from his youth up. . . . He soon came to see into the follies of the presbyterians, and to dislike their covenant, particularly the imposing it, and their fury against all who differed from them. He found they were not capable of large thoughts: theirs were *narrow* as their tempers were *sour*: so he grew weary of mixing with them. He scarce ever went to their meetings, and lived in great retirement, minding only the care of his own parish at Newbottle, near Edinburgh. Yet all the opposition that he made to them, was, that he preached up a more exact rule of

¹ Account of the Family of Broomhill, p. 56.

² History, i. 236.

³ Page 8.

life than seemed to them consistent with human nature: but his own practice did outshine his doctrine. In the year 1648 he declared himself for the engagement of the king. . . . He entered into a great correspondence with many of the episcopal party, and with my own father in particular, and did wholly separate himself from the presbyterians. At last he left them, and withdrew from his cure, for he could not do the things imposed on him any longer. . . . The mastership of the College of Edinburgh falling vacant some time after, and it being in the gift of the city, he was prevailed with to accept of it,¹ because it was wholly separated from all church matters. He continued ten years in that post, and was a great blessing in it; for he talked so to all the youth of any capacity or distinction, that it had great effect on many of them. . . . Thus he had lived above twenty years in Scotland in the highest reputation that any man in my time ever had in that kingdom²." Burnet gives Leighton a most wonderful reputation, but it must be received with many grains of allowance; for altogether he has made him a most inconsistent character. It is not improbable that Burnet has put many of his own sentiments into the bishop's mouth; for so good and mortified a man as he represents him to have been, would never have been so dissatisfied with the conduct of his superiors as to amount almost to sedition. His avowed contempt of his colleagues bore the appearance of envy, and was inconsistent with that humility and self-abasement so absolutely essential to the saintly character which Burnet gives him, but which must have proceeded from spiritual pride. That is, provided we can believe Burnet in either case—for his praise is as little worthy of belief as his censure,—of whom it has been said, "he happens to stand so ill in the opinion of the world, as to be ranked with one sort of men, who are never believed, even when they speak the truth³."

THE BISHOPS elect were summoned to London by the following circular letter:—

"CHARLES R.

"TRUSTY and well-beloved, we greet you well. Whereas, we have given order to our council to intimate our pleasure concerning the settlement of the church by bishops, as it was

¹ This is not correct; Leighton was appointed by Cromwell, who was the head of the kirk, because he belonged to the party most devoted to his interest. *Vide ante*, ch. xxv. p. 364.

² Burnet's Own Times, i. 242-246.

³ Historical and Critical Remarks on Bishop Burnet's History of his Own Times, by Bevil Higgons, gent. 1727; pp. 93, 94.



1752

*OF THE HISTORY AND ANTIQUITIES OF THE
COUNTY OF WILTSHIRE
AND THE TOWNSHIP OF WINDSOR*

*BY JOHN HENRY DODD, ESQ.
OF WINDSOR*

LONDON: Printed by J. WATKINS, 1752.

in the reigns of our grandfather and father of blessed memory. These are therefore to require you to repair to London with all the speed you conveniently can, where you shall receive our further pleasure. You are to obey such directions, concerning the time of your journey, as shall be given you by our chancellor and president of our council. So expecting your ready obedience, we bid you farewell.—Given at our Court, at Whitehall, the 14th day of August, 1661, and of our reign, the thirteenth year.

“By his majesty’s command, LAUDERDALE.”

By a commission from the king, under the great seal of England, the four Scottish bishops were consecrated, in Westminster Abbey, by Gilbert Sheldon, bishop of London; George Morley, bishop of Worcester; Richard Sterne, bishop of Carlisle, and Hugh Lloyd, bishop of Llandaff. Neither the archbishop of Canterbury nor of York officiated on this occasion, from the same motive that induced king James to exclude their predecessors from the consecration of archbishop Spottiswood, lest the presiding of either of them at this consecration might afterwards be considered as a revival of the metropolitanical claim of jurisdiction by the see of York, which had formerly caused so much contention. Upon inquiry it was discovered that Sharp and Leighton had only received presbyterian *admission*, but had never been ordained to any holy function; and therefore they were mere laymen, as were some of those that had admitted them. The precedent of Spottiswood’s consecration was adduced against the necessity of ordination; and Burnet says, it was king James himself that then overruled bishop Andrews’ objection. But the late revolt of the Scottish church, and the persecution which the Covenant had produced, had brought men’s minds to a stricter sense of their duty, and a firmer determination to act up to it. The English bishops made a distinction betwixt the present and the past times, when the Scottish church was in an imperfect state; but of late it had been in a state of revolt and schism, and had thrown off the order of bishops altogether; so that it would have been a recognition both of revolt and schism to have consecrated mere laymen in opposition to the constitution of the primitive church. The consecrators were justly peremptory in this determination, and after some little opposition, Messieurs Sharp and Leighton were privately ordained deacons and priests, and afterwards, with the others, consecrated bishops publicly in the Abbey church, Westminster. Fairfoul and Hamilton had been in priests’ orders before

the late evil days of rebuke and blasphemy, and persecution, fell upon the church; a fact which is attested by Wodrow, on the authority of bishop Hamilton himself; and it is again attested by bishop Hamilton's biographer, and also by bishop Burnet, who says he had it from bishop Leighton's own mouth¹.

"This consecration," says Nicol, "was acted with great solemnity, in the presence of many of the nobility and clergy of England, and many of the nobles of Scotland, being there for the time attending his majesty. This order of consecration at Westminster was done of necessity, because there was no bishop alive in Scotland, except only one, to wit, Mr. Thomas Sydeserff, bishop of Galloway. After this consecration, thir new bishops, with many peers of England and Scotland, were feasted in the new parish yard at Westminster; after which the bishops went all to the church, and heard another sermon²." Baillie says, "their feast to all the Scots and many of the English nobility was great. There they stayed some months longer than was expected, that they might be sufficiently instructed in the English way³."

We are indebted to the pious zeal of the late Dr. Skinner, bishop of Aberdeen, for having procured from archbishop Juxon's register-book a duly attested extract of the consecration of these prelates, as follows:—

"In the year 1789, bishop Abernethy Drummond, bishop Strachan, and I, being at London, soliciting relief to our church from certain penal statutes, at the desire of bishop Seabury, of Connecticut, who, some years before, had been consecrated by the bishops in Scotland, we applied to the archbishop of Canterbury for an attested extract of the consecration of the Scottish bishops in 1661; and through his grace's condescending attention, received what follows:—

"Extract from the Register-book of archbishop Juxon, in the library of his grace the archbishop of Canterbury, at Lambeth Palace, folio 237.

"It appears, that James Sharp was consecrated archbishop of St. Andrews; Andrew Fairfull, archbishop of Glasgow; Robert Leighton, bishop of Dunblenen, and James Hamilton, bishop of Galloway, on the 15th day of December, 1661, in St. Peter's church, Westminster, by Gilbert, bishop of London,

¹ Perceval's *Apology for the Doctrine of the Apostolical Succession*.—Wodrow's *Analecta*, MS. i. 133.—Account of the Family of Broomhill, p. 56.—Burnet's *Own Times*, i. 251-254.

² Nicol's *Diary*, 354, 355.

³ Baillie's *Letters*, iii. 485.

commissary to the archbishop of Canterbury, and that the right reverend George, bishop of Worcester; John [it should be Richard¹], bishop of Carlisle, and Hugh, bishop of Llandaff, were present and assisting.

"Extracted this 3d day of June, 1789, by me, William Dickes, secretary²."

Only one of the Scottish bishops survived the presbyterian persecution; but the English apostolic company, being more numerous, and having fled to the continent, were not so much subjected to persecution: a greater number of them survived and returned with the king, nine of whom were, by the providence of God, "preserved to resettle their own church and to rebuild ours³." They had been deprived of their sees, and deposed from their episcopal functions, by an ordinance of the Long Parliament, much in the same way as the Scottish bishops had been extirpated by the Glasgow Assembly; but so invalid was this ordinance esteemed, that the survivors on the Restoration took possession of their several sees, without any new authority whatever. During the usurpation, and the consequent persecution, the deans and chapters of the several cathedrals had been deprived, and many were dead or abroad; so that the usual way of filling up the sees was utterly impracticable: upon the petition of the surviving bishops to the king, he granted his royal licence, empowering them to meet together, and make choice of fit persons, according to the canon and practice of the primitive church; and the English consecrations were performed in a canonical manner by the surviving bishops; who were, William Juxon, bishop of London, who had attended his murdered sovereign on the scaffold, and who, on that account, was immediately translated to Canterbury, which had been vacant since the martyrdom of archbishop Laud; William Pearce, bishop of Bath and Wells; Robert Skinner, bishop of Oxford, afterwards translated to Worcester; John Warner, bishop of Rochester; William Roberts, bishop of Bangor; Matthew Wren, bishop of Ely; Bryan Duppa, bishop of Salisbury, afterwards translated to Winchester; Henry King, bishop of Chichester; Accepted Frewen, bishop of

¹ Vide Mr. Perceval's Apology, 2d ed. p. 207.

² Note, on page 351, to "Primitive Truth and Order vindicated from Modern Misrepresentation; with a Defence of Episcopacy, particularly that of Scotland, against an attack made on it by the late Dr. Campbell, of Aberdeen, in his Lectures on Ecclesiastical History: and a concluding Address to the Episcopalians of Scotland. By the Right Reverend John Skinner, in Aberdeen, senior bishop of the Scotch Episcopal Church."

³ Skinner's Ecclesiastical History, ii. 455.

Lichfield and Coventry, translated to the see of York¹, and who is said to have been the author of that excellent work, the "New Whole Duty of Man." On the 18th of October, 1660, GILBERT SHELDON, Humphrey Hinchman, GEORGE MORLEY, Robert Sanderson, and George Griffiths, were consecrated respectively for the sees of London, Salisbury, Worcester, Lincoln, and St. Asaph, by the bishops of Winchester, Lichfield and Coventry, Ely, Rochester, and Chichester. On the 18th November, of the same year, William Lucy, HUGH LLOYD, and John Gauden, were consecrated to the sees of St. David's, Landaff, and Exeter, by the bishops of London, Salisbury, Worcester, and Lincoln. On the 2d of December, of the same year, Benjamin Lany was consecrated to the see of Peterborough by the archbishop of York, and the bishops of London, Salisbury, and Worcester².

In Ireland, the devastation of the church by the wild boar of popery, and its ally, the covenant, united, was much greater than in England. The papist and the covenanter alternately persecuted the church of Ireland. The former refused the least toleration of the established worship in those places subject to their power; and in a kindred spirit of bigotry and superstition the Ulster covenanters rejected with scorn the remonstrances of the protestant clergy, and menaced them with extirpation for the unpardonable sin of worshipping God by the liturgy. Thus, says Mr. Newland³, "the church buried beneath a heap of corruption, while the whole ecclesiastical government was dissolved; weak from the absence of protection, and from internal imbecility unable to resist the ravages of any invasion; her highest dignities in many cases inquired after as mere merchandize, in other instances possessed by hypocrites, who disbelieved the truths, or execrated the doctrines they had sworn to preach; while apathy and distrust, on the one hand, and profligacy and profaneness on the other, gave awful indication of her dissolution, the church of Ireland, as if Providence had decreed this unanimity of poverty and vice, was at last visited with the scorpion scourge and iron hand of Cromwell's resistless sway." That commander, who was raised up to be a scourge to punish three guilty nations for their sins, shewed as little mercy to the popish as to the catholic Irishmen; indeed, he retaliated on the former for their horrible massacre of the latter, by committing the greatest

¹ Collier's Ecclesiastical History, viii. 407.

² Apology for the Apostolic Succession, 187

³ Apology for the Established Church in Ireland, pp. 60, 61.

cruelties, both on them and on the presbyterians. One of his usual sayings was, that "I am the only man who has known how to subdue that insolent sect [the presbyterians], which can suffer none but itself," but to whom he allowed as little toleration as to the churchmen and papists. Had it not been for the zeal of Ormond after the restoration, seconded by the small majority of the nobility, who were attached by old recollections, and who had felt the tender mercies of the covenant, the hierarchy and the common prayer would not have been restored in Ireland. He represented to Charles that the reformed catholic episcopacy and the liturgy were still the legal establishment of that kingdom, for they had never been set aside by any lawful parliament. He proposed, therefore, that the vacant sees and benefices should be filled up with men of worth and learning; and Charles happily followed his advice¹.

ACCORDINGLY, on the 27th of January, John Bramhall, archbishop of Armagh, to which see he had been translated from Derry on the 18th of the same month, consecrated in St. Patrick's Cathedral, Dublin, two archbishops and ten bishops. He was assisted by John Leslie, bishop of Raphoe, and afterwards translated to Clogher in 1661, and who had been translated by Charles the First from the bishoprick of the Isles in Scotland on the 1st June, 1633, and to which he had been consecrated in 1628; Griffith Williams, bishop of Ossory, and Robert Maxwell, bishop of Kilmore; Henry Jones, bishop of Clogher, was also present, but being the junior bishop he only held the Bible for the archbishop. The following was the order of consecration:—1. James Margetson, D.D. to the see of Dublin, and who succeeded his consecrator in the see of Armagh in 1663; 2, Samuel Pullen, D.D. to Tuam; 3, Michael Boyle, D.D. to Cork, and who was afterwards translated to Dublin in 1663, and Armagh in 1678; 4, Jeremy Taylor, D.D. to Down and Connor, to which was added, in 1662, the adjacent bishoprick of Dromore, "on account of his virtue, wisdom, and industry;" 5, Robert Price, LL.D. to Ferns and Leighlin; 6, George Wild, LL.D. to Derry; 7, Edward Synge, D.D. to Limerick, and who was translated to Cork in 1663; 8, John Parker, D.D. to Elphin, and who was advanced to the archbishopricks of Tuam in 1667, and of Dublin in 1678; 9, Henry Hall, D.D. to Killala; 10, George Baker, D.D. to Waterford; 11, Robert Leslie, D.D. to Dromore; and who was translated to Raphoe in the same year, and to Clogher in 1671; 12, Edward Worth, D.D. to Killaloe. The present

¹ Cartes Ormond—Leland's Ireland, iii. 350.

Irish bishops derive their orders through most of these twelve prelates, who were consecrated at this time by archbishop Bramhall, assisted by bishop Leslie, who derived his orders through the Spottiswoodian line of Scottish bishops. On the 2d of May, 1644, archbishop J. Usher, assisted by Henry Leslie, then bishop of Down and Connor, and afterwards translated to Meath on the 18th of January, 1661, and Dr. John Maxwell, formerly bishop of Ross, in Scotland, to which he was consecrated whilst Charles the First was in Scotland, at which time this excellent prelate contracted a firm friendship with Dr. Laud, then bishop of London; this bishop was also of the Scottish succession from Spottiswood, but translated to Killala and Achonry, 12th of October, 1640, and was translated to Tuam, 30th of August, 1645;—consecrated at Oxford, William Bailly, D.D. to the bishoprick of Clonfert. On the 20th of March, 1664, Michael Boyle, archbishop of Dublin, assisted by John Leslie, then bishop of Clogher, Robert Price, of Ferns, and Edward Synge, of Cork, consecrated William Fuller, LL.D. to the see of Limerick, from which see he was translated to Lincoln in 1667, and, as Mr. Perceval shews, brought the succession from Leslie to England. On the 5th of June, being Trinity Sunday, 1664, Samuel Pullen, archbishop of Tuam, assisted by the above named William Bailly, of Clonfert, and John Parker, of Elphin, consecrated Thomas Bayly, D.D. to Killala. Edward Wolley was consecrated to Clonfert on 16th April, 1665, by archbishop Pullen and bishops Parker and Thomas Bayly, who, with those above named, afterwards assisted at several consecrations of Irish prelates, and the orders of the *present* Irish bench may be traced through them to John Maxwell, first bishop of Ross, then bishop of Killala, who died archbishop of Tuam in the year 1646, and to John Leslie, bishop of the Isles, who died bishop of Clogher, both Scottish bishops of the line of John Spottiswood, archbishop of St. Andrews; the last of whom laid his hands on the twelve bishops who were consecrated in 1661¹.

IN ALLUDING to the consecrations of the twelve bishops in Dublin, bishop Mant says—"To Taylor was committed the conspicuous and honourable office of preaching the consecration sermon in St. Patrick's Cathedral, Dublin, and it was published at the request of the lords justices, the bishops, and general convention;—an anthem, subsequently celebrated

Harris's continuation of Sir James Ware's Antiquities.—Perceval's Apology. I am indebted for the above account of the Irish succession to C. H. Davis, Esq. of Wadham College, Oxford,

under the title of *Quam denuo exaltavit Dominus coronam*, was especially composed by Dr. William Fuller, then dean of St. Patrick's, and afterwards bishop of Limerick, and sung on the occasion. The consecration at the same time, and by imposition of the same hands, of twelve christian bishops, two of the number being of metropolitan eminence, to their apostolical superintendence of the church of Christ, is an event probably without a parallel in the church¹."

ARCHBISHOP SHARP has been often and loudly accused of having betrayed the presbyterian faction, the *largest* portion of which were *remonstrators*, and who abhorred both him and his moderate brethren, and neither trusted nor ever employed him; it remains, therefore, that it was the resolutioners that he is said to have betrayed, and who chiefly consisted of the episcopal clergy and people, who had neither been extirpated nor subdued. Of the resolutioners the moderate presbyterians made but a *small portion*, and some of these being in the neighbourhood of the metropolis, according to their natural disposition, when they saw that episcopacy would inevitably be restored, entered into cabals, and made common cause with their detested enemies, the remonstrators. The episcopalian resolutioners had already petitioned the king's representative and the parliament for the restoration of the primitive model of church government, and had given some unequivocal expressions of their detestation of the late proceedings of the presbyterians. It is evident from his correspondence that he did not betray the presbyterians, and could not have procured their establishment if he had been ever so determined on it. Baillie's account, which is the most moderate, does not shew any treachery on his part; but only that he followed the course of events which he could neither direct nor control. "Our kirk," says Baillie, "all the English times had been very faithful to our king, and so instrumental as we could for his restitution. We had lost much blood at Dunbar, Worcester, and elsewhere, and at last our liberty in his cause. We did firmly expect at his restoration a comfortable subsistence to ourselves, and all our presbyterian brethren, in all the dominions; and believe the king's intention was no other; but, by divine permission, other counsels thereafter prevailed, and now carry all. When the king was at Breda, *it was said* he was not averse from establishing the presbytery; nor was the contrary peremptorily resolved till

¹ Bishop Mant's History of the Church of Ireland, vol. i. ch. ix. p. 610-612.—A full account of this consecration was published in 1661, or 1662, by Dudley Loftus; it is now very scarce, and even the Bodleian Library at Oxford does not possess a copy.—C. H. Davis.

the Saturday at night, in the cabbin-council at Canterbury. At the beginning it went on softly : Calamy, Baxter, Manton, Reynolds, were made chaplains : but at once it altered. This did come from our supine negligence and inadvertence ; for the parliament [of England], then consisting of the secluded members, the city, Monk also and the army, were for us. Had we but petitioned for presbytery at Breda, it had been, *as was thought*, granted ; but fearing what the least delay of the king's coming over might have produced, and trusting fully [not to Dr. Sharp, but] to the king's goodness, we hastened him over, without any provision for our safety. At that time it was, that Dr. Sheldon, now bishop of London, and Dr. Morley [then bishop of Worcester] did poison Mr. Sharp our agent, whom we trusted ; who, piece and piece, in so cunning a way, has trepanned us, as we have never win so much as to petition either king, parliament, or council. My lord Hyde is the great minister of state who *guided all*, and to whom, at his lodging in Worcester House, the king weekly or oftener uses to resort and keep counsel with him alone some hours ; and so with the king, Mr. Sharp became more intimate than any man almost of our nation. It seems he has undertaken to do in our church that which now he has performed easily, and is still acting. He had for co-operators the commissioner, chancellor, and Rothes : Lauderdale and Crawford were a while contrary, but seeing *the king peremptory*, they gave over. His majesty's letter to us at first, penned by Sharp, promised to keep up our church government established by law ; and to send for Mr. Douglas and others to confer about our affairs. The last Mr. Sharp hindered [this is not fact ; Mr. Douglas declined to go to court] ; for with him alone it pleased his majesty to confer : and the sense of the first few of us dreamed till it came out thereafter. We were amazed at the proclamation discharging all petitioning against episcopal government established by law, as it was in the year 1693 ; of putting down our synods, and presbyteries, and sessions ; of calling up Mr. Sharp, Mr. Fairfoul, and Mr. James Hamilton, of Camnethan ; also Mr. Leighton, then at London, to be consecrate by the English bishops ; which, after some time, they were, by the bishops of London and Worcester, and others, with many English guises¹."

THE DEFEAT of Guthrie's intrigues with Cromwell by Dr. Sharp first laid the foundation of that hatred with which the remonstrator presbyterians pursued him to the death, and their

¹ Baillie's Letters, iii. 484, 485.

successors of the subsequent generations have ever since persecuted his memory. Bishop Honyman says, in his survey of that infamous and libellous book called *Naphtali*, the author "falleth foul of the archbishop of St. Andrews, whom, as in several parts of the book, he outrageously reviles, his carnal rage swelleth against him, and shamefully foameth out in unworthy inhuman expressions: the malice and fury of this man and his party hath been set against this very reverend person ever since he approved himself faithful in doing for this church against the remonstrator party; in which transactions *they who employed him had no cause to repent*, seeing, under God, he was at that time *the instrument of preserving the sober part of the ministry from the oppressions of a furious faction*. He was *most trusty to them in all that they entrusted him with*, and had *their approbation given most solemnly*, as is easily proven: nor can it be alleged with any truth, that in any thing he betrayed his trust to any who entrusted him with any concerns of the church; neither did he, by his letters or otherwise, engage himself to any thing against a moderate episcopacy, or for keeping up presbyterian government, as it had been exercised. And if the beholding of a remediless desperate schism fixed in this church, the consideration of the corruption of several of our universities, in point of magistral authority, and the evil influences thereof upon fierce youngsters, sent abroad to several quarters of the country, who had more skill in *arma virumque cano* than in preaching the gospel of the meek and merciful Jesus;—if serious reflections on the troubles which king James had by the presbytery, and the late horrible confusions arising upon the same, and that no reformed kingdom of the world had embraced that form, but only Scotland (both the kings and people thereof having sadly smarted upon that account);—if the due consideration of the purity and peace of the primitive times of the church under episcopacy, together with the tranquillity of this church under the same for many years, after it was established by acts of the General Assembly and parliament, anno 1610-1612;—If the desire of a surest peace after so much trouble, and of a fit joining of the church government with the monarchick in the state for public tranquillity;—if, I say, all these things prevailed with that reverend person, so as that he could not in conscience, nor in tenderness to the will and peace of this church, stand in the way of the king and parliament, for re-establishing that ancient form of government which the violence of former times had outed, or declining the making good

his allegiance to his sovereign and duty to the church, when commanded to take a share in that government ;—why should this desperate reviler turn this to his reproach¹ ?”

The restoration of the order of bishops appears fully to have been the king's own determination as well as the advice of his ministers ; and in his proceedings he conducted the negotiation with firmness and political consistency. The privy council published the following proclamation at the cross, ordering the presentation of ministers to be directed in future to bishops.

“ Edinburgh, 12th December, 1661.

“FORASMUCH as by an act of privy council, of the date 6th day of September last, his majesty's royal pleasure to restore the church of this kingdom to its right government by bishops, as it was by law before the late troubles, during the reigns of his majesty's royal father and grandfather, of blessed memory, and as it now stands settled by law, was made known to all the subjects of this kingdom, by open proclamation, at the market-crosses of all burghs royal ; and as it is statute by the first act of the twenty-one parliament of James VI. that all presentations to benefices should be directed thereafter to the archbishop or bishop of the diocese, within the bounds whereof any vacant church lieth ; so that their restitution to their former dignities, privileges, and powers, settled upon them by law and acts of parliament, no minister within this kingdom should be admitted to any benefice but upon presentation directed as said is ; and yet notwithstanding thereof, it is informed that upon presentations directed to presbyteries, they do daily proceed to admit ministers to kirks and benefices, albeit the archbishops and bishops are restored to their dignities, some of them are already consecrated, and all of them within a very short time will be invested in their rights and benefices, and empowered to receive presentations and grant admissions thereupon. Therefore, the lords of his majesty's privy council prohibit, and by these presents discharge all patrons to direct any presentation to any presbyteries ; as also discharge all and sundry the presbyteries within this kingdom, to proceed to the admission of any minister to any benefice or kirk within their respective bounds, upon any such presentations, as they shall be answerable with certification, that if they do otherwise the said presentation and admission shall be void and null,

¹ Survey of Naphtali, by Dr. Honyman, lord bishop of Orkney, pp. 234, 235.

as if they had never been granted, and ordain these presents to be printed, and published at the market-crosses of Edinburgh, and other places needful, that none pretend ignorance.

" Sic subscr."

PET. WEDDERBURN,

" Cl. sti Concilii ¹."

THE KING followed the same plan with the Scottish bishoprics as he had pursued in England, and made them donative for the time being, seeing there were neither deans nor chapters in either kingdom to whom to address a *congé d'elire*; the presbyterians had extirpated them in conformity with the letter and spirit of their covenant. He therefore presented the bishops elect to their respective sees, and the following is a copy of Dr. Sharp's patent to the see of St. Andrews:—

" That during the tumults in the kingdom for twenty-three years preceding, laws were made for the extirpation of the church-government, by the archbishops and bishops, against the established law and government of the church of this kingdom, in prejudice of his majesty's power and prerogative, which are rescinded by the consent of parliament; so that the authority, civil and ecclesiastic, is redintegrate, according to the laws in force before the rebellion.

" And because at this time the deans and members of chapters are for the most part dead, and their offices vacant; so that archbishops and bishops cannot be nominated, presented, and elected according to the order prescribed by act of parliament, 1617.

" And that his majesty considereth that the offices of the bishops and archbishops in this kingdom do vaik in his majesty's hands, by the death and demission of the last incumbents, particularly the archbishoprick of St. Andrews, by the decease of the last bishop thereof, to wit, Mr. John Spottiswood.

" And his majesty being informed of the piety, prudence, &c., of Mr. James Sharp, doctor in divinity, therefore his majesty *ex autoritate regali et protestate regia, certa scientia, proprioque motu*, makes, creates, and ordains the said Doctor James Sharp, archbishop of the said archbishoprick of St. Andrews, and primate and metropolitan of all Scotland ²."

JAMES SHARP was thus appointed archbishop of St. Andrews, metropolitan and primate of all Scotland; Andrew Fairfoul to the see of Glasgow; James Hamilton to the bishoprick of

¹ Nicol's Diary, pp. 353, 354.

² Wodrow's History, i. 239, 240.

Galloway ; and Robert Leighton to that of Dunblane. The revenues of Dunblane were almost altogether lost by former plunder, and therefore the deanery of Edinburgh, whose revenue was so good as to have been considered a " morsel fit for a bishop," was annexed to that see. Burnet says of Leighton, " so he was willing to engage in that, that he might set up the common prayer in the king's chapel : for the rebuilding of which, orders were given¹." When episcopacy was restored, the Common Prayer was not ordained to be used ; but the public worship was to be conducted in the extemporary manner which had been customary under every change of government which the church had undergone. So that in the present change the people could perceive no sensible difference in their weekly meetings, betwixt the episcopalian and the presbyterian mode of worship, only that there was nothing more heard of the solemn league and covenant in the prayers or the sermons of the clergy. Bishop Sydserf hastened up to London at the restoration, in the natural expectation that he would have been translated to the see of St. Andrews. In that, however, he was disappointed, as, in the disjointed state of the church, a more vigorous and younger hand than his was requisite at the helm of affairs. He was translated to the see of Orkney, which, owing to its distance from the capital, none of its property had been seized by the grasping nobility, and church principles were predominant : but he did not enjoy it above twelve months, so that to have made him primate would have been of little benefit to the church, and Dr. Sharp must have been advanced to that dignity at his death. But that which was most singular and has not been satisfactorily accounted for, is, that he was not included in the commission for the consecration of the Scottish bishops, although he had been for some time in London, and was actually present in the abbey church during the service. Burnet endeavours to fix a stigma upon his character, but for which there was no other or better ground than his own presbyterian predilections and unreasonable rancour at the Scottish prelates. Mr. Skinner says, " it may appear strange that this man, being the only survivor of the episcopal order before the troubles, and one, too, who seems to have been a particular butt of the covenanters' malice, was not advanced to the primacy, or at least restored to his former see of Galloway. But when we consider that by this time he would probably be an old man (he died the next year), and had been much out of the country for many years,

¹ Own Times, i. 249.

so that he must have been in a great measure a stranger to many of the tempers and most of the persons now upon the stage, and consequently not so fit to manage the public concerns of the church at such a critical juncture, nor even to deal properly with the cross humours that prevailed in these western parts, we should rather be inclined to conclude, that whoever were the advisers or disposers of these allotments, had best consulted the general good of the church by placing a pilot of Dr. Sharp's talents at the helm, who, by former acquaintance, could gain upon the peaceable, and by his activity check the troublesome part of the old malcontents¹."

"THE AUTHENTIC RECORDS of history inform us that, from the present day even to the time of the apostles, every church has been governed by a succession of bishops or chief presbyters. Every one admits that episcopacy was universal in the fourth and third centuries. Let us now trace it back from the end of the second century to the apostles. I maintain that as far as it is possible to discover the state of the church in those times, *episcopacy was as universally received* as the sacraments of christianity. Every church seems to have been subject to one chief pastor, and there is no evidence to the contrary²." This being the case, it is not surprising that the English consecrators insisted on the ordination of two of the elect prelates to the two inferior orders of the ministry before their consecration, as it was only following out the principle which has ever been maintained in the church in all ages. Presbyterian writers naturally enough complain that it appeared to unchurch not only the Scottish presbyterians but all other communions on the same model; and so it surely did, and gave the most undeniable evidence that the church of England does not consider the presbyterian establishment a rightly constituted church. It would have been an act of sin to have done otherwise than bishop Sheldon did, out of a compliment to the remonstrators, or even the moderate presbyterians, who had not only made a causeless schism, but were in a *state of revolt*, and were bound by a solemn oath to extirpate the whole episcopal order. In their own Confession of Faith they confine salvation *exclusively to their own communion*; for their definition of the catholic church, upon their own well-known principles and practice, means only such communions as are built on the presbyterian platform:—"The catholic or universal church, they say, which is *invisible*, consists of the whole number of the

¹ Ecclesiastical History, ii. 448.

² Palmer's Treatise on the Church, ii. 377.

elect that have been, are, or shall be gathered into one, under Christ, the head thereof; . . . the *visible* church, which is also catholic or universal, under the gospel . . . consists of all those throughout the world *that profess the TRUE religion*, together with their children; and is the kingdom of the Lord Jesus Christ, the house and family of God, *out of which there is NO ORDINARY POSSIBILITY OF SALVATION*¹." This is precisely the doctrine of the church of Rome, and the very words used by one of her standard authors, who says,—“All the marks and characters of the true church of Christ are to be found in the Roman Catholic Church, and in her *alone*; therefore we justly conclude that she *alone* is the true church of Christ, the *house of the living God*, the *pillar and ground of the truth*, out of whose communion there is no ordinary possibility of salvation².”

WE HAVE HAD BLOODY PROOF of what both presbyterians and papists consider the *true religion*, and therefore there cannot be a doubt but that they themselves have declared *the unchurching* of all the particular churches in the world which compose the catholic church, whether they be pure or corrupt. Against the church of England, in particular, the presbyterians had declared open war, even to its utter extinction; and their assembly of 1639 enforced the signing of their covenant of extirpation on all masters of universities, colleges, schools, and their scholars, under *all ecclesiastical censures*, and under *all civil pains*; and in that of 1643, they ordered their ministers to present all excommunicate persons, who were generally episcopalians, to the civil powers, that the highest civil pains might be executed against them: and in their solemn and seasonable warning, 1645, they mention it as one of the causes for which God had sent “the sword to avenge the quarrel of his broken covenant,” that the presbyterians had not with sufficient zeal and activity “endeavoured, with all faithfulness, the discovery, trial, and condign punishment of *malignants*,” they declare in this assembly that the Anglican church in the three kingdoms is *set on fire of hell*. The [presbyterian] “CAUSE is in danger from two sorts of enemies; first, from open enemies, we mean those of the popish, *prelatical, and malignant* faction, who have displayed a banner against the Lord and against his Christ in *all the three kingdoms*, being *set on fire of hell*, and by the *special inspiration*

¹ Westminster Confession of Faith: Of the Church, ch. xxv. Sect. 1. 2.

² The Sincere Christian Instructed in the Truth of Christ from the Written Word, i. p. 182. The Italics are Bishop Hay's own.

of Satan, who is full of fury, because he knows he hath but a short time to reign. The cockatrice before hatched is now broken forth into a viper." The hypocrites should, therefore, first cast the beam out of their own eye, and then they would see more clearly to pull the mote out of their neighbour's visual organ. The presbyterians are exceedingly sensitive on the point of being recognised as a true church, but they are equally reckless in unchurching the Anglican church, and consigning her to perdition, as having been already "*set on fire of hell*." But the English bishops were justified in re-ordaining the two laymen, upon the principle laid down by our Lord himself,—“Give not that which is holy [the charisma] unto the dogs [unbelievers, Gentiles], neither cast ye your pearls before swine, lest they trample *them* under their feet, and turn again and rend *you*.” The Scottish prelates had been admitted into the mystical body of Christ by holy baptism, for they had been baptized by episcopal clergymen; and now, by the laying on of the hands of the successors of the apostles, they all received that gift which St. Paul declares was *in* Timothy, and, like that apostle, they were required to keep “that good thing which was committed unto them by the Holy Ghost, which dwelleth in us,” and to “stir up the *gift of God* which was *in* them, by the putting” on of episcopal hands.

THE INSTANT that the restoration of the monarchy became probable, that instant both of the presbyterian factions instinctively apprehended the simultaneous restitution of episcopacy, and they bestirred themselves immediately, and entered into negotiation for the preservation and extension of the presbyterian “cause.” But even here there was no unity of purpose betwixt the remonstrator and the resolutioner presbyterians; the latter sent Sharp as their agent, with strict injunctions not to include their rivals in their treaty, or even to plead for toleration for them; and Gillespie may have been the agent for the other party, but *who BETRAYED them, and voluntarily offered to go any length the court might require in order to restore episcopacy*. They professed to give no toleration to the church or to any of the numerous sects which had sprung up from the prolific womb of presbytery. In almost every letter to Dr. Sharp, Douglas pressed him to procure the establishment of the covenant and rigid presbytery in all the three kingdoms, even after the former had repeatedly informed him that neither the court nor the country would submit to either. Uniformity in religion was certainly very desirable, but it was much more reasonable that that uniformity

should have been in the religion which the three kingdoms had all along professed since the reformation, and under which the people had lived in all godliness and quietness, than in a profession which had suddenly arisen in revolt, and had spread such devastation, both in sacred and civil things, by the sword of its followers. In their unreasonable demand for the universal establishment of their sect, the ministers entirely threw overboard "the inclinations of the people" even of Scotland, not to speak of those of England and Ireland. The great mass of the Scottish people were episcopalians, and were heartily sick of presbytery, and bore "a heart-hatred and malice" against the covenant; and both Douglas and Baillie admitted, in a plaintive tone, that the people "were hankering after bishops," and "feeding themselves" with the prospect of episcopacy. So that in reality the presbyterians, who were but an insignificant minority of the nation, have no reason to complain of Charles for restoring in a peaceable, slow, and legal manner, what the presbyterian faction, when supported by a puissant nobility with their military retainers, had suddenly overturned in the most illegal and violent manner. Now when the nobility had to a man deserted them, they could discover the sandy foundation of the inclination of the people, on which they had erected their holy discipline; there were no lay guns and swords, or protestations, after the restoration, and therefore, as presbytery had always succeeded by these means, it now sunk into insignificant complaints and wailings, from the absence of the carnal weapon which has always been its source and support in the hands of its lay-elders, who were annually elected, and justified the saying of the ancient saint, *hodie clericus, cras laicus*,—which, when *freely* translated, may mean, this year they are sacred, the next year profane.

AFTER POURING out his indignation on the king, and on "that malignant wretch, John earl of Middleton," a presbyterian author says,—“ But the church's sun of prosperity is soon at the tropic; scarce was that spring-time well begun to blossom and bud, when behold a world of *malignant* vapours, arising out of the earth, clouded all her sky again, and turned her spring to a deplorable winter. Various heresies in England, growing popery in Ireland, public resolutions for advancing *malignants* to places of power and trust in Scotland, like so many inundations breaking in upon the church of Christ, laid all her pleasant things waste. And no sooner was Charles II. advanced to the exercise of the royal authority, but drowning the sense of all sacred obligations with a glut of sensual pleasures, he authorised a malignant crew of statesmen to perse-

cute and destroy the people of God for their adherence to the covenants which himself had entered into as the fundamental stipulation of government, and to that reformation which he had sworn to maintain and practice, and for their bearing witness against the grand principle and foundation upon which he built his power of overthrowing religion, and setting up a new frame thereof in Britain,—namely, the blasphemous headship of ecclesiastical supremacy¹.”

THE NOBLE HISTORIAN of the Grand Rebellion says of the period of the usurpation, that “Scotland lay under a heavy yoke, and their kirk and kirkmen were entirely subdued. . . . If the king’s nature could have been delighted to behold the oppressions his rebellious subjects endured in all the three nations, he might have had abundant comfort and pleasure of this kind in all of them;—first in seeing Scotland, which first threw off wantonly its own peace and plenty, and infected the other two kingdoms with its rebellion, now reduced and governed by a rod of iron, vanquished and governed by those whom they had taught the science of rebellion, and with whom they had joined, by specious pretences and vows, and *horrible perjuries*, to destroy their natural prince and dissolve the regal government, to which they had been subject ever since they were a nation—in seeing the pride and insolence of their people, which had used to practice such ill manners towards their king, *suppressed, condemned, and exposed to slavery*, under the discipline and castigation of men who were very few of them bred up gentlemen, but bred up in the trades and professions of common men. These men governed in their houses, and prescribed new laws which they had never been accustomed to, yet were compelled to obey upon penalty of their lives and estates, whilst their *adored idol*, PRESBYTERY, *which had pulled off the crown from the head of the king, was TROD UNDER-FOOT and LAUGHED AT*, and their preachers, who had threatened their princes with their rude thunder of excommunication, disputed with, scoffed at, and *controled by artificers, and corrected by the strokes and blows of a corporal*; and all this subjection supported at their own charge, their fierce governors being paid by them out of their own estates.”

¹ Cloud of Witnesses to the Royal Prerogatives of Jesus Christ: Preface, p. viii.

CHAPTER XXIX.

PRIMACY OF ARCHBISHOP SHARP.

1662.—Presbyteries and synods licensed—but deprived of jurisdiction.—The presbyterians attempt to ordain and induct.—Petition of the presbytery of Kirkcudbright.—Arrival and reception of the primate and the other bishops—arrival of the lord commissioner.—The consecration of the bishops—Nicol's account.—The English Liturgy and formulary of Consecration used—opinions of the bishops.—Meeting of parliament.—Redintegration of the spiritual estate.—Act of restitution.—Remarks.—The commissioner's speech.—A deputation to bring in the bishops—their procession to and from the parliament house—the unanimity of their restoration.—The Covenant burnt in England.—Act for the preservation of his majesty's person—ministers summoned—bishop Leighton's speech—the primate's reply.—Act to secure incumbents in their benefices.—Act concerning masters of universities, ministers, &c.—The primate compared to Julian the apostate—the declaration made by all in authority.—Act of indemnity.—The 29th of May to be kept a festival.—The Covenant burnt.—Henderson's monument defaced.—Archbishop Fairfoul takes possession of his See—and is publicly entertained.—Archbishop Sharp's reception in Fife—and in St. Andrews.—Bishop Wisheart—bishop Mitchell—bishop Forbes—bishop Strachan.—Names and sees of all the bishops.—Proclamation for holding diocesan synods.—Meeting of synods—synod of Edinburgh—synods of Glasgow and Galloway.—Progress of the council—arrival and acts at Glasgow.—Conduct of the Covenanters.—Act of Glasgow—its consequences.—Time for paying obedience to the law extended.—Skinner and Burnet's opinions.—Lord Clarendon's speech.—Act of uniformity—its effects.—Walker's *Sufferings of the Clergy*.—A declaration.—Militia act—oath of allegiance and supremacy.—Christmas day observed in Edinburgh.—1663.—Intrigues against Middleton—his fall.—Changes in the government.—Remarks on earl Middleton.—Desertion of the ministers of the Covenant—their character—and of the new incumbents—their reception by their parishioners.—Origin of field meetings.—Death of bishop Mitchell—consecration of bishop Burnet.—Lent observed.—Field meetings.—Ascension day and the king's birthday observed.—Meeting of parliament—acts.—Acts for settling the constitution of a General Assembly—its constitution unsatisfactory.—Soots mile act.—Johnston of Warriston—sentenced to be hanged—his death.—Riot in Kirkcudbright.—Death of bishop Sydserf.—Rising of parliament.—Death of archbishop Fairfoul.—Concluding remarks.

1662.—THE ACT RESCISSORY replaced the church in the same position as that in which it stood before the Assem-

bly at Glasgow in 1638; and therefore the meetings of presbyteries and synods in the exercise of their legislative and executive powers became unlawful, and were by that act virtually abolished; but that no inconvenience might arise, they were specially licensed to meet as formerly. But now that some of the bishops had been consecrated, and all of them had been nominated to the different sees, it was necessary to postpone the meetings of synods and presbyteries until they should be regularly summoned and constituted by their respective bishops. The privy council therefore issued a proclamation on the 9th of January, declaring the power of these courts to be void, until they were re-appointed by the bishops; and they likewise commanded all due deference and respect to be paid to the archbishops and bishops. In the absence of ecclesiastical authorities, the lord chancellor sent this proclamation to the sheriffs of counties, who sent notice to the parish ministers, and a general obedience was given to it. Only, Burnet says, "the ministers, to keep up a shew of acting on an ecclesiastical authority, met once, and entered into their books a protestation against the proclamation, as an invasion on the liberties of the church, to which they declared they gave obedience only for a time, and for peace sake¹." Wodrow says, "this proclamation *razed* presbyterian government quite; and we may observe a considerable difference betwixt prelacy now obtruded, and the old Scots episcopacy. Presbyteries and sessions remained under the bishops during king James VI.'s reign, almost in the full exercise of their power, saving that presbyteries were cramped with constant moderators; but now presbyteries and sessions are made entirely to depend upon the bishops, and indeed materially abrogated, as may afterwards be noticed²."

IN THE DIOCESES of Glasgow and Galloway, where the presbyterians were most numerous, attempts were made to ordain and induct ministers of their own sentiments into vacant churches. A vacancy occurring by the death of the former minister in the parish of Yetholm, in the diocese of Glasgow, the earl of Lothian presented a minister to it; but the presbytery of Kelso, in which it is situate, met, and proceeded to ordain and induct their own man. On some previous intimation of their intentions, the earl of Lothian complained to the council of this invasion of his rights, when they prohibited the presbytery from admitting any person to be minister

¹ Own Times, i. p. 255.

² History, i. p. 250.

at that church, as they should be answerable. The presbytery of Peebles, in the same diocese, were summoned to appear before the privy council, on pain of rebellion, for having, in the face of the proclamation, ordained and admitted a Mr. John Hay to the church and parish of Manor, also in the diocese of Glasgow. This disobedience to the law was perfectly consistent with the principles of presbytery; and a presbyterian author laments the conduct of the episcopalian clergy and the moderate presbyterian ministers, in yielding obedience to the late proclamation. "It is a matter of *sad regret*, he says, that *the most part* of presbyteries, instead of making any stand for their religious liberties, silently yielded to the proclamation, and left off meeting in a judicative capacity; so that the wicked and unjust invasions made upon the *crown and dignity* of the Lord Jesus Christ brought many of the faithful of the land with sorrow to the grave; for now, if any presbytery did so much as petition for a fair hearing, no regard was paid to it¹." And there cannot be a more decided proof of the unanimity of the clergy and ministers, and their people, than the melancholy remark of Wodrow:—"It is with regret I observe it," he says, "that too little of a spirit for this [the presbyterian principle] appeared either with ministers or people. At the first defection to episcopacy in this church, after our reformation from popery, a considerable stand was made by ministers, then perfectly united; *but now the most part* of presbyteries *silently obtempered* this proclamation. In some places, when they did meet, they found they could do nothing; and the essays of some presbyteries to keep themselves in *possessorio* by meeting, were useless, and reckoned singular by others; and, by piece and piece, all the presbyteries of the church were deserted, save some few, very few, who subjected [submitted] to the prelates' orders²."

THE PRESBYTERY of Kirkcudbright,³ in the diocese of Galloway, met in the beginning of January, and, considering that they saw Zion defiled by the prelate and *malignant* party, they drew up a petition, and sent two of their number to present it to the lords of the privy council, in which they lament the depression of the "work of the Lord," which had arrived at such a "height of perfection in the purity of doctrine, wor-

¹ Crookshank's History of the Church of Scotland, i. 131.

² Wodrow's History, i. 251.

³ Commonly pronounced Kirkcubry; it is pleasantly situated on the banks of the Dee, in the stewartry of Galloway, and was originally a cell of St. Cathbert—*cella Cathberti*.

ship, discipline, and government: and, particularly we humbly beg that we may have liberty with freedom and safety to express our minds against the re-introduction of prelacy upon this church and kingdom;" and if his majesty would listen to the prayer of their petition, "it is the firm resolution of our hearts to live in all dutiful obedience, praying that the Lord may long preserve his royal person under the droppings of his grace, and abundant loadenings of his best blessings and special mercies." Wodrow is uncertain whether or not this petition was ever presented, and yet he denounces the government as most inhuman for rejecting it, although he acknowledges that he could find no traces of it in the council-books, and therefore there is not the least doubt that it was never presented; yet he justifies all the subsequent seditions and insurrections of the covenanters on account of its supposititious rejection, by saying, "who can justly blame them for seeking a hearing to their grievances *in an armed posture*, when the oppression of their enemies had forced them to this?"¹

BAILLIE says, that the primate "had bought a fair new coach at London, at the sides whereof two lacqueys in purple does run;" in which the four prelates travelled northwards, and arrived at Berwick-on-Tweed on the 5th of April. The lord chancellor, and all the nobility and gentry, with the provost and magistrates, went as far as Cockburnspath, a hamlet about eight miles south of Dunbar, and thirty-two miles from Edinburgh, to meet and welcome them; and a vast assemblage of pedestrians of the humbler ranks went to Musselburgh, and escorted them into town. A procession was formed, preceded by trumpets, and on the 8th of April they were thus conducted into the capital, and "with all reverence and respect received and embraced in great pomp and grandeur, with sound of trumpet, and all other courtesies requisite." Baillie says, "When they came down, they were received by a number of noblemen, gentlemen, and the magistrates of Edinburgh, *magnificklie*: the commissioner's lady feasted them and the nobility that night, as the chancellor did the morrow after."² This triumphant and joyous reception of the Fathers of the church is an undeniable evidence of the re-action in the minds of the people of all classes, after the unnatural excitement, bloodshed, and anarchy of the covenant had ceased, and the tyranny of rigid presbytery was removed. It is a corroboration

¹ Wodrow's History, i. 253.

² Baillie's Letters, iii. 485.—Nicol's Diary, 363, 364.—Wodrow's History, i. 253.—Burnet's Own Times, i. 256, 257.

of the unwilling testimony that had been given by two of the most respectable of the presbyterian party, that the people were hankering after bishops—had no love to presbytery—but were feeding themselves with the prospect of episcopacy. And it also shews that the petition of the synod of Aberdeen was founded on the well-known desires of all ranks of the people of Scotland for the restoration of the primitive discipline of the church.

THE ARCHBISHOP and the other three bishops determined to wait till the arrival of the lord commissioner, the earl of Middleton, before they should consecrate the bishops elect; and he did not arrive at Holyrood House till Wednesday, the 4th of May. The lord commissioner, and all the nobility and gentry of the kingdom, who had come to town for the purpose of attending parliament, were present, as also the lord provost and magistrates of the city in their official robes and ensigns, at the consecration, which took place in the chapel royal of Holyrood House, and as many of the citizens as the chapel could contain were admitted by ticket. The archbishop of St. Andrews was the consecrator, assisted by the archbishop of Glasgow and the bishop of Galloway; and Mr. Nicol, who was present, says, "they ordered that business very handsomely and decently." The following bishops were consecrated on this day, all of whom had been in priests' orders during the primacy of archbishop Spottiswood, before the grand rebellion:—George Haliburton, minister of Perth, a "very worthy good man," who had been harassed by his brethren as a malignant, and deposed for conversing with Montrose, in the year 1644, but who had been protected by his friends, was consecrated for the see of Dunkeld. Murdock Mackenzie, who had so far forgotten his sacred office as to become a rigid covenanter during the prevalence of that madness, was consecrated to the bishoprick of Moray. He was descended from a branch of the noble family of the earl of Seaforth, and had been ordained by bishop Maxwell, of Ross. He was born in the year 1600, and went first abroad as chaplain to a regiment in the service of Gustavus Adolphus. On his return he was presented to the parish of Contin, near Dingwall, in the bishoprick of Ross: he was afterwards removed to the parish church of Inverness, and lastly to Elgin. John Paterson, one of the ministers of Aberdeen, was promoted to the see of Ross: he had been compelled, after much hesitation, to sign the covenant, "but was still a quiet and peaceable man." David Fletcher, parson of Melrose, in the diocese of Glasgow, was presented to the see of Argyle; he was the lord advocate's brother, and was indebted

for his promotion to the friendship of the earl of Middleton. Keith states that he was *advanced* in January, and leaves it to be inferred that he was consecrated at that time; but Baillie says that he *refused* the patent for the bishoprick of Argyle, "*the rent being naught*:" that godly saint, the marquis of Argyle, hail robbed the bishoprick of its whole property, and therefore he was never consecrated. Mr. Robert Wallace, minister of Barnwell, in the county of Air and diocese of Glasgow, was consecrated for the bishoprick of the Isles: it is more than probable that the revenues of this see were also "*naught*." These four, Fletcher not being included, were consecrated in the chapel royal on the 7th of May, and the commissioner entertained them at a sumptuous dinner in the palace the same day, and at the king's expense; and it seems, the king had also liberally defrayed all the expenses of the four prelates, who were consecrated at London, during their residence there¹.

THERE IS some difficulty in reconciling the different accounts of the consecrations on the 7th of May. Keith, who should be an authority, is exceedingly careless in stating both the dates and the names of the consecrators, and it is only by incidental notices in other authors that the real circumstances are discovered. Keith says that Fletcher was *advanced* to the see of Argyle "on the 18th of January, 1662; but he continued his pastoral function at Melrose till his death, which fell out anno 1665." He does not say that he was consecrated, but only that he was *advanced*; Baillie asserts that he *refused* his advancement, and as he still continued to act as a parish priest, we may reasonably infer from both these circumstances that he was not consecrated at all. Four other bishops were consecrated at St. Andrews on the first of June. Mr. Nicol was present at the consecration of the prelates in May at the chapel-royal, and gives the following account of it:—"The archbishop of St. Andrews sat there with his episcopal cap, or four-cornered bonnet. All that was said by the bishop at the consecration was read off a book, and their prayers also were read. The first prayer was the Lord's Prayer, and some short prayer or exhortation after that; next was the belief read, and some little exhortation after it; thirdly, the ten commandments were read, and after them some few words of exhorta-

¹ Keith's Catalogue of Scottish bishops, *passim*.—Perceval's Apology for the Doctrine of the Apostolical Succession.—Wodrow's History.—Nicol's Diary.—Baillie's Letters.—Skinner's Ecclesiastical History.—Burnet's Own Times.

tion ; much more to this purpose not necessary to be written¹. It appears, therefore, that the ordinary morning service of the church of England had been read, and that the "Form of ordaining or consecrating an archbishop or bishop" had been used, with which it cannot be supposed that honest Nicol could be acquainted. In all the consecrations of the successors of these much-maligned prelates, from that day to this, and in the ordination of all deacons and priests, the same office has been used, without exception, in the Scottish branch of the catholic church. The church of England decrees, that "the book of the consecration of archbishops and bishops, and ordering of priests and deacons, doth contain all things necessary to such consecration and ordering: neither hath it any thing that of itself is superstitious and ungodly." And therefore the church of England decrees, that "whosoever are consecrated or ordered according to the rites of that book, or hereafter shall be consecrated or ordered according to the same rites, we decree all such to be rightly, orderly, and lawfully consecrated and ordered²." In the "Form of Church Government" attached to the "Westminster Confession of Faith," the validity of the consecration of the Scottish bishops is likewise fully acknowledged; for it is there said—"If a minister be designed to a congregation, who hath been *formerly* ordained presbyter according to the form of ordination which hath been in the church of England, *which we hold for substance to be valid*, and not to be disclaimed by any who hath received it; then there being a cautious proceeding in matters of examination, let him be admitted without any new ordination³." In these two citations, one from the Thirty-nine Articles, and the other from the "Form of Church Government, &c." there is a concurrent testimony for the validity of the orders of the bishops of the church of Scotland, who have always been consecrated, and the priests and deacons have also been ordained since that time, by the formularies of the church of England. From these consecrations, the present Fathers of the catholic church of Scotland have descended in a regular unbroken succession: and may that succession continue unbroken by either rebellion or schism, till Christ, the great shepherd and bishop of souls, shall deliver up the kingdom to the Father!

THE PRESBYTERIAN authors, Kirkton and Wodrow, assisted by bishop Burnet, exhaust their ingenuity in heaping calumny

¹ Diary, 366.

² Thirty-nine Articles, Art. xxxvi.
Form, &c. attached to West. Conf. Faith, p. 591.

upon the Scottish bishops after they had been appointed to their bishoprics ; whereas they made no complaints against them before that time. Their malice against the primate was inextinguishable, and ended in his murder ; but before that, the presbyterians considered him the most virtuous, discreet, and valuable man in the kingdom, and often declared that their whole dependence rested on his abilities and judgment. Baillie repeatedly expresses his respect and affection for him, as a man "wise, grave, and fearing God,"—"I have always found him so kind a friend to myself that I will be loath to admit such thoughts of him," as that he was the sole adviser of "the king and statesmen, both Scots and English,"—"you were the most wise, honest, diligent, and successful agent of the nation in the late dangers of our church, in Cromwell's time,"—"whatever grief my heart has from our changes, and is like to have till I die, I hope it shall stand with terms of great respect to you, from whom I have received so many favours, and still expect to receive more." But even Burnet himself, when age had softened his personal animosity against the primate and others, and notwithstanding the malicious and infamous falsehoods and spiteful gossip which he has set down in his *History of his Own Times*, speaks very differently of them in another publication. "I shall not add much of the bishops that have been in that church [of Scotland] since the last re-establishing of the order : but that I have observed among the few of them, to whom I have the honour to be known particularly, as great and as exemplary things as ever I met with in all ecclesiastical history : not only the practice of the strictest of all the ancient canons, but a *pitch of virtue and piety beyond* what can fall under common imitation, or be made the measure of even the most angelic ranks of men ; and I saw things in them that would look liker fair ideas, than what men clothed with flesh and blood could grow up to. But of this I will say no more, since those that are concerned are yet alive, and their characters are too singular not to make them be as easily known if I enlarged upon it as if I named them¹."

WHILST these gentlemen, of whom Burnet now speaks so highly, submitted to the presbyterian discipline, there was not a word of reproach ever uttered against either their moral or their professional characters ; but no sooner did they accept the episcopal office than their presbyterian enemies discovered that they were atheists, drunkards, adulterers, infanticides, gamblers, blasphemers, avaricious, ambitious time-servers, and

¹ Life of Bishop Bedell.—Preface.

secret papists. Those who were advanced to the prelatical dignity had been episcopal clergymen before the desolating revolt of the covenant; but had they united with the presbyterians, and assisted them in keeping up the agitation, there would never have been the least accusation against them. But they committed the unpardonable sin of remembering from whence their church had fallen, and they also repented and did their first works, as the chief bishop commanded the church of Ephesus to do. If these worthy men had been guilty of these shameful crimes, it reflects great disgrace on the presbyterian discipline not only to have suffered them to minister in their communion but to hold them in the highest respect. Hypocrisy was one of the reigning vices of those times; but it would have been impossible to have concealed such gross vices from observation, unless we are to conclude that such immoralities were so common among the presbyterians as not to attract particular notice. "Many writers," says Mr. Guthrie, "as well as bishop Burnet, have been severe, almost to barbarity, upon his [the primate's] memory. I have from unquestionable authorities represented the progression of that atrocious treachery of which he had been accused; and I am far from saying, that he exhibited any specimen either of his delicacy or his magnanimity, by accepting of an honour so incompatible with the trust reposed in him by his brethren. We have the narrative of his behaviour and negotiation in the words of *his capital enemy*, Mr. Robert Douglas, as they are printed by Wodrow. Neither of those authors, however, have been able to fix upon Sharp *any other charge* than barely that of accepting the archbishoprick. When we compare Sharp's own account with those of Wodrow, he seems, while he was charged with his commission from his brethren, to have acted *not only* honestly but *zealously* in his trust, even after he scarcely could have a reasonable prospect of success; and I cannot see how the *transition* from presbytery to episcopacy can merit the abuse that has been poured forth against Sharp's morals, *especially* by bishop Burnet¹."

THE SECOND SESSION of Charles's first parliament was opened on the 8th of May; and as a good foundation had been laid in the first session for the establishment of the church, so in the second the work was completed. Dr. Haliburton, the new bishop of Dunkeld, preached at the opening of the session. The first act was for the *redintegration* of the spiritual estate to their ancient places, and entitled—"For the restitution and

¹ General History, x. 99-100.

re-establishment of the ancient government of the church by archbishops and bishops," and which was preparatory to their taking their seats in parliament.

"FORASMUCH as the ordering and disposal of the external government and policy of the church doth properly belong unto his majesty, as an inherent right of the crown, by virtue of his royal prerogative and supremacy, in causes ecclesiastical; and in discharge of this trust, his majesty and his estates of parliament, taking to their serious consideration, that in the beginning of, and by the late rebellion within this kingdom in 1637, the ancient and sacred order of bishops was cast off, their persons and rights were injured and overthrown, and a seeming parity among the clergy factiously and violently brought in, to the great disturbance of the public peace, the reproach of the reformed religion, and violation of the excellent laws of the realm, for preserving an orderly subordination in the church; and therewithal considering what disorders and exorbitances have been in the church, what encroachments upon the prerogatives and rights of the crown, what usurpation upon the authority of parliament, and what prejudice the liberty of the subject hath suffered, by the invasions made upon the bishops and episcopal government, which they find to be the church-government most agreeable to the word of God, most convenient and effectual for the preservation of truth, order, and unity, and most suitable to monarchy, and the peace and quiet of the state: therefore, his majesty, with advice and consent of his estates of parliament, hath thought it necessary, and accordingly doth hereby *redintegrate the estate of bishops* to their ancient places and undoubted privileges in parliament, and to all their other accustomed dignities, privileges, and jurisdictions, and doth hereby restore them to the exercise of their episcopal function, presidency in the church, power of ordination, inflicting of censures, and all other acts of church discipline, which they are to perform with advice and assistance of such of the clergy as they shall find to be of known loyalty and prudence. And his majesty, with advice aforesaid, doth revive, ratify, and renew all acts of any former parliaments, made for the establishment and in favour of this ancient government; and doth ratify and approve all acts and proclamations emitted by his majesty or his privy council, since the first day of June last, in order to the restitution of bishops. And further, it is hereby declared, that whatever shall be determined by his majesty, with advice of the archbishops and bishops, and such of the clergy as shall be nominated by his majesty, in the external policy and government

of the church (the same consisting with the standing laws of the kingdom), shall be valid and effectual. And his majesty, considering how necessary it is that all doubts and scruples, which, from former acts or practices, may occur to any concerning this sacred order, be cleared and removed, doth therefore, of certain knowledge, and with advice aforesaid, rescind, cass, and annul all acts of parliament, by which the sole and only power and jurisdiction within this church doth stand in the church, and the general, provincial, and presbyterial assemblies, and kirk sessions; and all acts of parliament, or council, which may be interpreted to have given any church power, jurisdiction, or government, to the office-bearers of the church, their respective meetings, other than that which acknowledgeth a dependence upon, and subordination to, the sovereign power of the king as supreme, and which is to be regulated and authorised, in the exercise thereof, by the archbishops and bishops, who are to put order to all ecclesiastical matters and causes, and to be accountable to his majesty for their administration¹."

THIS ACT further restores the bishops to their *civil* rights, possessions, patronages, superiorities, and emoluments, as they existed before the year 1638. But it declared "that this act of restitution shall give no right to any archbishops or bishops, or their successors, nor to the heirs or executors of the deceased bishops, to any rents belonging to the archbishopricks or bishopricks preceding the year 1661, after the said year 1638, but that all the said rents intromitted with, by, and pertaining to, such persons as had right thereto for the time. As also all such persons who *bond fide* have made payment of their feu duties, tiends, and tiend duties and others, rents of their bishopricks, are and shall be also secured for by-gones, allenary, free of any action or question, notwithstanding this present act, or any thing therein contained²."

"THIS ACT of parliament," says Mr. Skinner, "has been the subject of much sneer and obloquy from the presbyterian party, who exclaim against it as a sacrilegious encroachment upon the intrinsic powers of the church, and ridicule the episcopal clergy as betrayers of the cause of Christ, by their submitting to it, and thus, they say, building their ecclesiastical fabric upon such an erastian foundation. Yet any one may see, that the act gives the church no new rights, nor meddles in the least with any of her intrinsic or inherent powers. It only *restores* to her what had been sacrilegiously taken away from her by vio-

¹ Act 1st, 2d Session, 1 Par. Ch. II. Collection, &c. Sir Thomas Murray, of Glendock, fol. 69.

² Ibid.

lence and injustice, and removes the effects of illegal usurpation, in order to make room for the re-establishment of the old episcopal government and policy. Besides, the cry of erastianism comes but awkwardly from those who lay so much stress on the famous Westminster Assembly of divines and laymen, which was originally called, and progressively directed and controled in all their consultations, not by king and parliament, indeed, but by a parliament without and against a king, which gave them all their orders, and exercised an ecclesiastical *supremacy* with as erastian a hand as any king ever pretended to¹."

CHARLES's ministers and parliament had thus far acted in conformity with his patriotic design of restoring the constitution in church and state. After they had passed this act of redintegration, the earl of Middleton rose and said, "that since the act Rescissory had annulled all the parliaments after that held in the year 1633, the former laws in favour of episcopacy were now again in force, the king had restored that function which had been so long glorious in the church, and for which his blessed father had suffered so much: and though the bishops had a right to come and take their places in parliament, yet it was a piece of respect to send some of each estate to invite them to come and sit among them²." The two estates, the temporal peers and the Commons, determined to make the introduction of the first estate, the bishops, into the house as solemn and imposing as possible, they sent two earls, two barons, and two commoners, as a deputation to the archbishop's house in the Netherbow, to invite them to take their seats in parliament. The spiritual peers were all assembled in the primate's house, and along with the deputation they formed a procession, two and two, the two archbishops leading, and they were joined by the

¹ Ecclesiastical History of Scotland, ii. 457; Vide, *ante*, ch. xxi. pp. 256-262. In the Scottish parliament the three estates sat in one chamber. The king or his commissioner also sat on a throne six steps high, with a canopy of state over it. On the first step under him sat the lord chancellor, on a bench, with the other officers of state on both sides of him. The lords of session or judges sat on the next step below him. The bishops sat on the right of the throne, rising up in two rows of benches; the archbishops sat on the highest, and the other bishops on the lower, according to the dignity of their sees, or the dates of their consecration. On the left of the throne was another great bench of three steps, and as many rows of benches, on which the nobility sat according to their precedence. In the middle were two tables, upon one of which the regalia were deposited; and beside them, in two great chairs, the constable and marshal sat. At the other table sat the lord clerk-register, with his deputy clerk, who were the clerks of parliament. There were also benches placed on the floor; on those on the right sat the commissioners for counties, and on the left, the commissioners for burghs. —The author's "Book of the Constitution."

² Burnet's Own Times, i. 258.

lord provost and corporation of Edinburgh, in their robes, with their ensigns of office. Crowds of people assembled to witness the procession, and heartily cheered them as they ascended the High street. When they had taken their seats, the lord commissioner addressed them in a complimentary speech, after which the act of redintegration was read, and the house adjourned¹. The bishops were entertained that day at dinner by the lord commissioner, and the whole of the members walked in procession to Holyrood House, preceded by six macers carrying their maces; three gentlemen ushers; one for the commissioner, another for the lord chancellor, and the third for the archbishop of St. Andrews; and the purse-bearer followed uncovered, followed by the maces: next came the commissioner and the chancellor, with two noblemen on their right hand, and the two archbishops on their left in their robes. The peers and other bishops followed, two and two, and the Commons came last in the procession.

The unanimity of parliament, and the rejoicing of the people without, show the truth of Douglas's assertion, that the people were wearied of the yoke of presbytery, and anxiously desired an episcopal government. No opposition was made in parliament to the redintegration of the episcopal estate, except by some of the lords of erection, whose whole property consisted of the plunder of the church, and whose opposition arose entirely from the fear of being compelled to make restitution. David Lesslie alone, the old covenanting general, who had been created earl of Newark, made some opposition; and seeing some members "begin to smile," he remarked, in a menacing tone, that "he had seen the day that they durst not laugh at him²." A remark which shows the difference betwixt the tyranny of the Covenant usurpation, and the freedom of a lawful government. It shows also that the restoration of the church was *a national act*, so cheerfully and unanimously agreed to, that the solitary opposition of an individual covenanter only excited the laughter and contempt of the house. And the primate asserted, in a letter to the earl of Kincardine, in the year 1666, that "the episcopal government was restored *by as solemn and full consent and unanimous vote* of the representatives of the kingdom in two sessions of parliament, *as ever any public act of justice was done since Scotland was a nation*³."

¹ Wodrow, p. 259.—Guthrie's General History, x. 103.

² Nicol's Diary, 366, 367.—Wodrow's History, i. 256.—Memoirs of the History of Scotland.

³ MS. art. 4. Copy of an original letter, said to be in the primate's own hand-writing, in the Episcopal Chest, Aberdeen; vide *post*.

THE PARLIAMENT of England first dealt with the covenant as its merits well deserved ; and about the same period that the Scottish parliament was reintegrating the church with the state, the former made an order for making a heretic of the Solemn League and Covenant, and it was accordingly burnt by the hands of the common hangman on the 23d of May, and immediately afterwards at the market crosses of every borough in that kingdom. "And no wonder," says Mr. Skinner, "that both nations should thus join in testifying their abhorrence of that *hypocritical bond of iniquity*, which, though in a fit of *enthusiastic madness* they had been decoyed into, under a *mask* of superior godliness, they had both seen and felt the dismal *fruits of*, in a *torrent of blood and desolation*, from which nothing but the merciful hand of God could have, in such a gentle but wonderful manner, delivered them¹." Charles remitted to his parliament the entire privilege of covering over the rebellious miscarriages of his Scottish subjects since the year 1638, but with the proviso of making such exceptions in the act of indemnity as they might think necessary. The second act of this session, therefore, was "for the preservation of his majesty's person, authority, and government;" and as a security to the church against the pernicious effects of private covenanting, under which she had already so severely smarted, all persons in public trust, or office, were required to sign a declaration, renouncing the covenant and all its obligations. The act that follows for the king's preservation was the more necessary, inasmuch as the Covenant recommended and justified rebellion and the extirpation of the church, with the sacred character of a religious duty.

"THE ESTATES OF PARLIAMENT taking into their consideration the miseries, confusion, bondage, and oppressions this kingdom hath groaned under since the year 1637, with the causes and occasions thereof, do, with all humble duty and thankfulness, acknowledge his majesty's unparalleled grace and goodness in passing by the many miscarriages of his subjects, and restoring the church and state to their ancient liberties, freedom, rights, and possessions ; and the great obligations thereby lying upon them to express all possible care and zeal in the preservation of his majesty's person, (in whose honour and happiness consisteth the good and welfare of his people,) and in the security and establishment of his royal authority and government against all such wicked attempts and practices for the time to come. And since the rise and progress

¹ Ecclesiastical History, ii. 459.

of the late troubles did, in a great measure, proceed from some treasonable and seditious positions infused into the people 'that it was lawful to subjects, for reformation, to enter into covenants and leagues, or to take up arms against the king, or those commissioned by him;' and that many wild and rebellious courses were taken and practised in pursuance thereof; by unlawful meetings and gatherings of the people, by mutinous and tumultuary petitions, by insolent and seditious protestations against his majesty's royal and just commands, by entering into unlawful oaths and covenants, by usurping the name and power of council-tables and church-judicatories, after they were by his majesty discharged; by treasonable declarations that his majesty was not to be admitted to the exercise of his royal power until he should grant their unjust desires, and approve their wicked practices, by rebellious rising in arms against his majesty, and such as had commission from him; and by the great countenance, allowance, and encouragement given to these pernicious courses by the multitude of seditious sermons, libels, and discourses, preached, printed, and published, in defence thereof. And considering that as the present age is not fully freed of those distempers, so posterity may be apt to relapse therein, if timeous remeed be not provided; therefore the king's majesty and estates of parliament do declare that these positions—'that it is lawful to subjects upon pretence of reformation, or other pretence whatsoever, to enter into leagues and covenants, or to take up arms against the king; or that it is lawful to subjects, pretending his majesty's authority, to take up arms against his person or those commissioned by him, or to suspend him from the exercise of his royal government, or to put limitations on their due obedience and allegiance,' are rebellious and treasonable; and that all these gatherings, convocations, petitions, protestations, and erecting and keeping of council-tables, that were used in the beginning, and for carrying on of the late troubles, were unlawful and seditious. And particularly that these oaths, whereof the one was commonly called 'The National Covenant,' and the other entituled 'A Solemn League and Covenant,' *were, and are in themselves, unlawful oaths*, and were taken by and imposed upon the subjects of this kingdom, *against the fundamental laws and liberties of the same*; and that there lieth no obligation upon any of the subjects from the said oaths or either of them, to endeavour any change or alteration of government, either in church or state; and therefore annul all acts and constitutions ecclesiastical or civil, approving the said pretended National Covenant or League and

Covenant, or making any interpretations of the same or either of them. And also it is hereby declared by his majesty and estates of parliament, that the pretended Assembly kept at Glasgow, in the year 1638, was in itself (after the same was by his majesty discharged under the pain of treason) an *unlawful and seditious meeting*: and that *all acts, deeds, sentences, orders, or decreets passed therein*, or by virtue of any pretended authority from the same, *were in themselves from the beginning, are now, and in ALL TIME COMING, to be reputed UNLAWFUL, VOID and NULL*: and that all ratifications or confirmations of the same, passed by whatever authority, or in whatsoever meetings, shall from henceforth be VOID AND NULL¹."

THE MARTYROLOGIST of the kirk calls the above act in "every way so singular an *establishing iniquity by law*, a foundation for much persecution, and an opening the door for popery, . . . and cannot but expose our prelates, to whom we owe all those iniquitous clauses, and plainly evince that prelacy in the church of Scotland was still the road to tyranny in the state, persecution in the church, horrid invasions upon the liberty of the subjects, and dreadful oppressions in matters of conscience." The history of the preceding twenty years very clearly shows with whom all these evils originated; but Wodrow shows both ignorance and malignity in magnifying the power and influence of the prelates; for if we were to give credit to his assertions and insinuations, his majesty himself, his ministers, and his parliament, were but the mere creatures of their will, and that they bore more than a papal supremacy in the state as well as in the church. The body or committee, called the lords of the articles, who prepared and introduced all bills into the house, was chosen, and had performed their functions, before the prelates were consecrated or had taken their seats in parliament, so that they were entirely guiltless of having any share or influence in their preparation. During the whole of this session the prelates had merely to take their share in the debates and record their votes; for the Scottish parliament did little more than sanction and register what had been previously adopted and prepared by the lords of the articles.

SOON AFTER the passing of the foregoing act, several presbyterian ministers were summoned before the parliament, to answer for some reflections which they had made in their sermons against episcopacy; but as they had spoken in general terms, and as their words were capable of a good as well as of a bad construction, there was nothing done against them, but

¹ Second Act, 2 Sess. 1 Par. Ch. II.

they were required to take the oath of allegiance, which they declined, unless they were allowed to affix their *own* sense to it. This produced a debate whether or not an act should be made explanatory of its meaning; for the sense was the same as that in which it is explained in the thirty-seventh of the Articles of the Church of England. Leighton, who appeared in parliament for the first time on this occasion, argued zealously for an explanation to be given; for the land, he said, "mourned by reason of the many oaths that had been taken." That was true; but these oaths had been forced upon the land, without either explanation or permission to examine them, by his late friends the covenanters. He said, "the words of this oath were certainly capable of a bad sense: in compassion to papists a limited sense had been put on them in England; and he thought there should be a like tenderness shown to protestants. . . . The act," he said, "otherwise looked like the laying snares for people, and the making people offenders for a word." The primate replied, that it was beneath the dignity of government to make acts to satisfy all the weak scruples of peevish men; and it ill became those who had imposed their covenant on all the people, without any explanation, and had forced every one to take it, to expect now such an extraordinary favour. The ministers' petition was therefore rejected, and they were required to take the oath as it stood; which refusing to do, they were in consequence banished for life¹.

The following act was rendered necessary for the restitution of the civil rights of the patrons of churches that had been invaded by the act of 1649, and which would have been passed even if presbytery had been established, and therefore it was neither an appendage, nor "one of the great pillars of episcopacy;" and the act chiefly insists on the civil rights and privileges of the patrons, which had nothing whatever to do with the restoration of episcopacy. Those ministers only were comprehended within the meaning of the act that had, during the late usurpation, *illegally and forcibly* possessed themselves of churches; but it did not disturb those who had been presented by the patrons before 1649. Many of the parish churches were in the possession of incumbents who had intruded themselves into them either by force, or under colour of the act for the abolition of patronage, and still continued to receive the stipends, in violation of the restored rights of the patrons. The favour and clemency of parliament are conspicuous towards the illegal possessors, for it is declared

¹ Burnet's Own Times, i. 261-263.

that although all such churches were *ipso facto* vacant, yet it was without prejudice to those ministers who should apply to the lawful patron for a presentation, which the act *compelled* him to grant ; and to the bishop of the diocese for collation, *which he was not at liberty to refuse*. On these simple and easy conditions the most violent remonstrator might have retained his living, in whatsoever manner he had originally obtained it ; and many of the moderate presbyterian ministers complied with the terms of the act, and retained the undisturbed possession of their parishes till the day of their death.

“ THE KING’s most excellent majesty, being desirous that all his good subjects may be sensible of the happy effects and fruits of the royal government, by a free, peaceable, and safe enjoyment of their due interests and properties under his protection ; and that in his restitution they may find themselves restored to these rights which by law were secured unto them, and by the violence and injustice of these late troubles and confusions have been wrested from them ; and considering, that notwithstanding the right of patronages be duly settled and established by the ancient and fundamental laws and constitutions of this kingdom, yet divers ministers in this church, have, and do possess benefices and stipends in their respective cures, without any right or presentation to the same from the patrons ; and it being therefore most just, that the lawful and undoubted patrons of kirks be restored to the possession of the rights of their respective advocations, donations, and patronages ; therefore, his majesty, with advice, &c., doth statute and ordain, that all these ministers who entered to the cure of any parish in burgh or land within this kingdom, in or since the year 1649, (at and before which time the patrons were most injuriously dispossessed of their patronages,) have no right unto, nor shall receive, uplift, nor possess the rents of any benefice, modified stipend, manse or glebe for this present crop 1662, nor any year following, but their places, benefices, and kirks, are *ipso jure* vacant. Yet his majesty, to evidence his willingness to pass by and cover the miscarriages of his people, doth declare, that this act shall *not* be prejudicial to any of these ministers, in what they have possessed or is due to them since their admission : and that every such minister who shall obtain a presentation from the lawful patron, and have collation from the bishop of the diocese where he liveth, betwixt and the 20th of September next to come, shall from thenceforth have right to and enjoy his church, benefice, manse, and glebe, as fully and freely as if he had been lawfully presented and admitted thereto at his first entry, or as

any other minister within the kingdom doth or may do. And for that end it is hereby ordained, that the respective patrons *shall give presentations to all the present incumbents*, who in due time shall make application to them for the same. And in case any of these churches shall not be thus duly provided before the said 20th of September, then the patron shall have freedom to present another, betwixt and the 20th day of March, 1663. Which if he shall refuse or neglect, the presentation shall then fall to the bishop *jure devoluto*, according to former laws. And sic-like his majesty, with, &c., doth statute and ordain the archbishops and bishops to have the power of new admission and collation to all such churches and benefices as belong to their respective sees, and which have raked since the year 1637, and to be careful to plant and provide these their own kirks conform to this act¹."

AN ACT was passed, entituled, "Concerning masters of universities, ministers, &c." in order to provide against a recurrence of the late fanaticism and inculcation of rebellion, and for the religious and loyal education of the rising generation. By this act, masters of colleges and schoolmasters were obliged to acknowledge the jurisdiction of their several bishops, and to take the oath of allegiance, which was rendered necessary to counteract the effects of the covenant to which they had been compelled to swear. The covenant was an instrument that inculcated rebellion and the extirpation of the whole church throughout the empire, by a solemn oath, which was not only unlawful but contrary to the apostle's doctrine, to submit to every ordinance of men in authority for the Lord's sake, and who set us the example of cheerful submission to the governors sent by a heathen emperor. It was the duty of all men who loved God and honoured the king, but whose consciences had been ensnared by the covenant, to repent of their having called God to witness *a lie*, and to approve of rebellion and stubbornness, which He has declared to be as the sins of witchcraft, iniquity, and idolatry,—and to eschew its obligations with their whole heart. Wodrow, however, is of a different opinion: "The cunning," he says, "of Julian the apostate, in suppressing and poisoning christian schools, as the most effectual way for ruining of christianity, was now much spoken of, and some did not scruple to compare primate Sharp to him, in more respects than one. . . . By their fifth act, the parliament put the cope-stone upon the building of prelacy, and, inasmuch as it is in their power, the *gravestone* upon the cover-

¹ Third Act, 2 Sess. 1 Par. Ch. II.

nants and presbytery." Happy would it have been for the peace of the nation had his words been true, but presbytery was neither dead nor buried, but was kept alive like a remnant of the Canaanites, to be a thorn in the side of the church, as the latter had been to the church of Judea. Burnet says this oath was "taken from the English pattern of abjuring the covenant. It is, he says, true this was only imposed on men in the magistracy or in public employments. By it all the presbyterians were turned out, for this oath was decried by the ministers as little less than open apostacy from God, and a throwing off their baptismal covenant¹." Burnet seems to think the imposition of the oath of allegiance upon his friends the presbyterians a much greater grievance than their having formerly *forced* the execrable covenant on the whole nation; but the saints considered it a great persecution that they were not permitted to make their own explanation of the oath. This is a liberty which they never allowed to any one on whom they imposed the covenant, and no government whatever will allow men to take oaths in any other sense than in that of the imposers. The abjuration of the covenant is represented as an act of unparalleled tyranny, and to have been as great an apostacy from God as the renunciation of the vows of holy baptism. And so their principles were such that they considered it more criminal to abandon the obligations of an unlawful oath which bound them to rebellion and bloodshed, than to renounce the christian faith. The title of the fifth act is, "concerning the declaration to be signed by all persons in public trust;" and it ordains all men, before entering upon public office or employment, to subscribe the following oath:—

"I, A. B. do sincerely affirm and declare, that I judge it unlawful to subjects, upon pretext of reformation or any other pretext whatsoever, to enter into leagues and covenants, or to take up arms against the king, or those commissioned by him; and that all those gatherings, convocations, petitions, protestations, and erecting or keeping of council-tables, that were used in the beginning, and for the carrying on of the late troubles, were unlawful and seditious: and particularly that these oaths, whereof the one was commonly called the 'National Covenant,' (as it was sworn and explained in the year 1638 and thereafter,) and the other entitled 'A Solemn League and Covenant,' were and are in themselves unlawful oaths, were taken by, and imposed upon the subjects of this kingdom against the fundamental laws and liberties of the same; and

¹ Own Times, i. 263,

that there lieth no obligation on me nor any of the subjects, from the said oaths, or either of them, to endeavour any change or alteration of the government either in church or state, as it is now established by the laws of the kingdom¹."

TOWARDS the conclusion of the session an act of indemnity was at last passed; but it was painfully clogged by an arbitrary clause of exception for fining a vast number of all ranks that had been most active in the late rebellion. When it was in preparation, the commissioner sent up draughts of two acts of indemnity to the king for his approbation; the one contained an exception of some persons to be fined, the other contained a clause for incapacitating and secluding by ballot about twelve persons from all public trust. The fines were limited to offences that had been committed since the year 1650, and were not to exceed one year's rent of the delinquent's estate. It is said (but we have only Burnet's word for it) that the clause for secluding twelve individuals was intended by the commissioner to operate against Lauderdale, and as that nobleman did not suspect any danger to himself, he made no objection to it. The earl Middleton afterwards solemnly professed to the king that he was ignorant of the names contained in the billets before they were collected, and declared, what deserves observation, that this act for excepting certain persons from public offices was passed on the consideration "that the late rebellion was principally fermented, carried on, and kept up by the *unfaithfulness* of such persons as were entrusted by his late majesty, of ever glorious memory, in the administration of his government²." The fines were intended to indemnify the loyalists, who had severely suffered in their estates during the late usurpation; they amounted to about eighty-four thousand pounds sterling, and were levied on its supporters. This indemnity was too long kept back to be graciously received, and it had been held over men's heads as a rod in *terrorem* till the government had succeeded in settling the affairs of the nation³.

PARLIAMENT issued a proclamation for celebrating the 29th of May, which was the anniversary both of his majesty's birth-day and of his restoration, with certification that those ministers who refused to keep it should be deprived. It was observed this year with every demonstration of loyalty and joy, except in the western burghs, which were under the control of the

¹ Act 5, 2 Sess. 1 PAR. CH. II.

² Sheldon Papers, cited in editor's note to Burnet's Own Times, i. 270, 271.

³ Wodrow's History.—Burnet's Own Times.

preachers of the covenant, where it was wilfully neglected. The privy council ordered copies of the covenant, which had been the source of so much misery and bloodshed, to be burnt at the market-crosses of Edinburgh and of all the other burghs in the kingdom, by the hands of the common hangman, on the king's birth-day. The people expressed the utmost joy and rejoicing at the immolation of this popish document, which had been manufactured by Jesuits, and appears to have been one of the master-pieces of their atrocious fraternity. At Linlithgow, along with the covenant, they burnt also Rutherford's book, "*Lex Rex*," and Guthrie's "*Causes of God's Wrath*," amidst the festivities of all ranks of the people¹. The mutations of popular opinion are seldom to be depended on; but in this case the change was on the side of law and order, and a contemporary records the process of burning the covenant and the behaviour of the people, to shew their temper at this time, "and of the *hatred and malice* borne against the covenant²." Wodrow informs us that "this wicked attack upon our religious ties, which were the *glory* [!] of Scotland," was chiefly managed by Mr. Milne the chief baillie, and Mr. RAMSAY the parish priest of that town, who was made dean of Hamilton, and afterwards bishop of Dumblane; and Mr. Wodrow compares this meritorious action of burning the covenant, which, he says, "was thus both officiously and impiously perpetrate," to "Belshazzar's quaffing in the holy vessels³."

ANOTHER sign of the times was an order of parliament to deface the emblazonments and other ornaments of Henderson's tomb in the Grey Friars' churchyard, in the very place where he had invoked the name of God upon this instrument of rebellion and revolution—the covenant.

IN THE FIRST WEEK in May, archbishop Fairfoul took possession of his see. He was met, some distance from Glasgow, by the marquis of Montrose, the earls of Linlithgow and Calander, and many other noblemen and gentlemen, with the lord provost and magistrates, with a mixed multitude of the people both on foot and on horseback, with the ringing of bells, and all other demonstrations of respect, and they conducted him "to the tolbooth to a great collation." According to the economical habits of the time, the tolbooth or gaol was usually attached to what is in England called the Guildhall, so that his grace was entertained in the hall of the corporation of the city. Mr. Baillie, the moderate resolutioner and

¹ Cloud of Witnesses, xxix. xxx.

² Nicol's Diary, p. 337.

³ History of the Sufferings, &c. i. 321.

principal of the college, who was now drawing towards his latter end, says, "The archbishop preached on the Sunday, soberly and well; but Mr. Hew Blair, in the afternoon, ridiculously worse than his ordinary. Some of my neighbours were earnest that the chancellor and he should have a collation in the college on Monday morning. Against this I reasoned much, but was over voted, to our great and needless charge. Mr. John Young made to the bishop a speech of welcome beside my knowledge. The chancellor, my noble kind scholar, brought all in to see me in my chamber, where I gave them sack and ale the best of the town. The bishop was very courteous to me: I excused my not using of his stiles, and professed my utter difference from his way; yet behaved to entreat his favour for our affairs of the college, wherein he promised liberally. What he will perform, time will try¹."

IN THE MONTH of April, archbishop Sharp crossed the Firth of Forth to take possession of his diocese; and the following extract from a most excellent modern publication will be read with interest, which shews the real feelings of the people better than volumes of argument:—"As a proof that Sharp's change from presbyterianism to episcopacy was not looked upon with an evil eye by the respectable part of his contemporaries, it may be mentioned that when he first made his appearance in Fife, in his new capacity, which was in April, 1662, he was cordially welcomed by all ranks of its population.—'He came to Fife,' says Lamont, 'April 15th, and dined that day with sir Andrew Ramsay, formerly provost of Edinburgh; and that night came to Lesley, being attended by divers both of the nobility and gentry. The next day, being Wednesday, he went to St. Andrews from Lesley, attended from the earl of Rothes his house with about sixty horse; but by the way divers persons and corporations (being written for in particular by the said earl of Rothes a day or two before) met him, some at one place and some at another,—viz. some from Falkland, Auchtermuchty, Cupar, Crail, and about one hundred and twenty horse from St. Andrews and elsewhere; so that once they were estimated to be about seven or eight hundred horse. The nobility were the earl of Rothes, earl of Kelly, earl of Leven, and the lord Newark; of gentry, Ardross, Lundy, Rires, Dury, Skaddoway, Dr. Martin of Standry, and divers others. All the way the said archbishop rode betwixt two noblemen,—viz. Rothes on his right hand, and Kelly on his left. On the Sabbath after, he preached in the

¹ Baillie's Letters, iii. 485—487.

town church in the forenoon, and a velvet cushion in the pulpit before him; his text, 'For I determined to know nothing among you, save Jesus Christ and Him crucified.' His sermon did not run much on the words, but in a discourse of vindicating himself, and of pressing episcopacy and the utility of it; shewing that, since it was wanting, there hath been nothing but troubles and disturbances both in church and state.' After his settlement at St. Andrews, Sharp procured from the king a mortification of £200 per annum to be paid to the university for ever, with which he augmented the professorship of mathematics and Hebrew¹."

ON THE 1st OF JUNE, archbishop Sharp consecrated the other four bishops that had been presented to the sees of Edinburgh, Aberdeen, Caithness, and Brechin. No author whatever that I have seen has mentioned who the consecrators were, except Baillie, who names the two archbishops; and it is reasonable to suppose that archbishop Sharp would officiate, as he was then at St. Andrews, and the rite took place there, and probably the assistant bishops were the same as had officiated at the chapel royal at the consecrations in May². The English form of consecration was used at this time also, and has ever continued to be used in the church of Scotland.

GEORGE WISHART, of the family of Logy in Forfarshire, was preferred to the see of Edinburgh. He was in priests' orders, having been ordained before the rebellion, and had the church and parish of North Leith, and suffered deposition by the covenanted powers in 1638. Being loyal to his sovereign, and steadily abjuring the covenant, he was plundered of all his worldly goods, and thrown into the nastiest apartment of the common gaol, not better than a dunghill, for keeping correspondence with the royalists, of which the information was conveyed by the bed-chamber traitors. He was immured in the *thieves' hole*, which had also been Gordon of Haddo's prison, and hence it was called *Haddo's hole*, for seven months,

Rev. C. J. Lyon's History of St. Andrews, Episcopal, Monastic, Academic, and Civil, vol. ii. pp. 73, 74.

¹ By the following extract from a letter with which I have been favoured, from William Pitt Dundas, esq., the chief of her majesty's register house, Edinburgh, it will be seen that the ruthless violence of the revolution establishment extirpated all the episcopal records:—

"I have delayed answering your letter of the 29th January, that I might make every inquiry in my power with the view of procuring for you the information you ask, respecting the consecration of the Scottish bishops in 1661 and 1662. I regret that I have not been successful, and I fear that there is no record now in existence which contains what you seek. The records of the various commissariats (which were the bishops' courts) now deposited in the register house, contain nothing but judicial proceedings."

during which time he was only permitted *once* to change his linen; and he ran the risk of being devoured by rats, the marks of whose voracity he bore on his face to his death. On his discharge from this filthy dungeon he was appointed chaplain to the illustrious marquis of Montrose, and wrote his life and the events of the period in elegant Latin. He went abroad with the marquis, and, after his judicial murder, he entered into the household of the queen of Bohemia, the sister of king Charles I., as one of her chaplains, with whom he returned to England in 1660, and for his loyalty was presented to the rectory of Newcastle-on-Tyne. The king himself selected him for the bishoprick of Edinburgh, out of respect to the marquis of Montrose¹; albeit, bishop Burnet maliciously and spitefully has given another and a false account of the matter. He says, "The see of Edinburgh was for some time kept vacant. Sharp hoped that Douglas might be prevailed on to accept it; but he would enter into no treaty about it. So the earl of Middleton *forced* upon Sharp *one* Wishart, who had been the marquis of Montrose's chaplain, and had been taken prisoner, and used with so much cruelty in the gaol of Edinburgh, that it seemed but justice to advance a man in that, where he had been so near an advancement of another sort²."

DR. DAVID MITCHELL had been one of the parochial clergy of Edinburgh, and was in priests' orders, but was deposed by the ministers of the covenant for refusing to throw off his christianity and loyalty, in the year 1638. The fury of the covenanters drove him to the necessity of seeking shelter in England, where, Keith says, "he got into a benefice;" but does not tell where the benefice was situate. He was made a prebendary of Westminster after the Restoration, by the recommendation of lord Clarendon, who said he was "a person very learned and honest, and, from the beginning of the troubles, had been a great sufferer for the cause of his majesty and the church;" and on the 9th of July, 1661, the university of Oxford conferred on him the honour of the degree of doctor in divinity, and his majesty himself nominated him this year to the see of Aberdeen³.

THE BISHOPRICK of Caithness was conferred on Patrick Forbes, whom Skinner calls "the loyal and orthodox son of a turbulent father," and minister of Alford. The father had been a violent presbyterian and covenant⁴, and deeply engaged in

¹ Keith's Catalogue, 62.—Note to Kirkstone's History, 247.

² Own Times, i. 257.

³ Keith's Catalogue, 133.

⁴ assembly of 1605; and was banished, and died abroad."

⁴ The Rev. Hew Scott informs me that he was "moderator of the General As-

the godly councils of the former troublesome times ; but he begat a son who saw all his father's sins, and considered and did not do the like, nor bore the iniquity of his father. His appointment was dated on the 19th of March. His profession or place of residence at the time of his appointment is not mentioned. At the same time, David Strachan, of the family of the Strachans of Thornton, in the county of Kincardine or Mearns, was consecrated to the see of Brechin. He was the parson of Fettercairn in the same county, and owed his promotion to the earl of Middleton, whose property was situate in that parish. He appears to have been in holy orders, and had been settled at Fettercairn, before the supremacy of the covenant.

THESE FOUR WERE consecrated on the first of June ; and with the exception of Argyle, the Scottish sees were now all full : viz.—1, St. Andrews, Sharp ; 2, Glasgow, Fairfoul ; 3, Gallo-way, Hamilton ; 4, Dunblane, Leighton, all of whom had been consecrated at London by bishop Sheldon on the 15th of December, 1661 ; 5, Dunkeld, Haliburton ; 6, Moray, Mackenzie ; 7, Ross, Patterson ; 8, The Isles, Wallace, who were consecrated at Holyrood Chapel on the 7th of May ; 9, Edinburgh, Wishart ; 10, Aberdeen, Mitchel ; 11, Brechin, Strachan ; 12, Caithness, Forbes, who were consecrated by archbishop Sharp at St. Andrews ; 13, Orkney, Sydserf, who had been consecrated by archbishop Spottiswood in the year 1634 ; 14, Argyle, vacant, Fletcher having only been nominated to it, but who was not consecrated, and never took possession of the see, and it continued vacant till the year 1666¹.

PARLIAMENT was prorogued on the 9th of September till May, 1663 ; and the privy council as usual assumed the executive power, and the following day issued a proclamation to enforce obedience to the summons of the bishops for holding their diocesan synods ; and all parsons, vicars, and ministers, were required to be present, and to give their concurrence in their several stations for the exercise of their ministerial duties.

IN OCTOBER the bishops held their first synods in their respective dioceses ; and in general the attendance of ministers was good, except in those districts where the remonstrators were most numerous. The synod of Edinburgh, consisting of fifty-eight clergymen, met on the fourteenth of October, and bishop Wishart himself preached from Philip. iv. 5, " Let your moderation be known unto all men ; the Lord is at hand." The bishop appointed two of the clergy of each presbytery in the

¹ Keith's Catalogue, *passim*.—Perceval's Apology for the Doctrine of the Apostolical Succession pp. 227-228.—Baillie's Letters, iii. 486.—Private Letter from the Rev. Hew Scott, minister of Wester Anstruther, in the county of Fife.

diocese, whom he termed the brethren of the conference, to prepare business for the synod. A regulation was adopted that there should be morning and afternoon prayers in every burgh or populous parish in the diocese on Sundays; that the Lord's Prayer should be repeated once at least, or oftener, at the minister's discretion, at every service; that the Doxology be revived and sung, on account of the numerous sectaries that denied the Godhead of Christ; that the Apostles' Creed be repeated at the sacrament of baptism by the father of the child after baptism, as the faith of the church; that all the ministers who had not yet conformed according to the act of parliament should be indulged for asking collation from the bishop till the 25th of November, which had the desired effect. In order to show respect for the bishop and clergy, the privy council, the lords of session, the king's advocate, and the lord provost and magistrates, were present at this synod¹.

IN THAT PART of the kingdom which lies north of the river Tay, the synods were fully and harmoniously attended, and the business before them was conducted without material opposition; but in the dioceses of Glasgow and Galloway, which had been chiefly filled with remonstrators, after they had forcibly ejected the incumbents that had been settled before the Assembly of 1638, the attendance was very scanty. The chief strength of the remonstrators lay in these two dioceses, and Gillespie had taken sufficient care to plant the whole province with men of his own turbulent character. These men naturally considered it a desertion of their principles, and a sinful "homologation" of episcopacy, to attend synods that derived their authority from the bishops; besides, they had been ensnared by the false oath of the covenant, to which we may suppose they would have some respect, which bound them to extirpate not only the office but the very persons of the men who would preside in them. Not one of those remonstrator ministers attended the synod of Glasgow, or recognised the authority of the archbishop; so much otherwise, that they had resolved to keep up their own presbyteries, and to act independent of his jurisdiction. Under these circumstances the archbishop felt it necessary to apply to the civil power for assistance and support in this dilemma.

IN THE LATTER end of September the earls of Middleton, Glencairn the chancellor, Morton, Linlithgow, and Callender, the lord Newburgh, and sir James Lockhart, making a quorum of the privy council, with Peter Wedderburn, their clerk,

¹ Wodrow's History, i. 281.—Nicol's Diary, 381.

made a progress through the west of Scotland, and arrived at Glasgow on the 26th of September. At a meeting of the council the archbishop reported the state of his diocese, and of the disobedience of the remonstrators (or covenanters, as we shall henceforth call them), the greater part of whom had been violently forced into the parishes since the abolition of patronage in 1649. The duke of Hamilton and sir James Lockhart represented to the council that the covenanters were very popular preachers, and were in high estimation with the people among whom they ministered; urged the scandal attending their deprivation, and the difficulty in the present state of the church of supplying their places. The earl of Middleton, acting upon the excellent maxim "that the execution of the laws was that by which all governments maintained their strength as well as their honour," contended for the necessity of maintaining the law as it now stood; but he mistook the character of the parties. As the resolutioner presbyterians had almost entirely joined with the episcopalians in recognising their bishops, he imagined that the genuine presbyterians would have done the same thing, after a little bluster, and the assertion of their fundamental principle of resistance to every ordinance of man. As the government was now strong, the commissioner and the majority of the council never dreamt of the consequences which were likely to flow from their maintaining the supremacy of the law. He expected that they would, as formerly, have seized their claymores in their old spirit; but seeing the hopelessness of such a measure (the lay-chiefs having deserted them), they were suddenly smitten with an uncharacteristic spirit of meekness, which created much greater and longer-continued trouble to the government than if, as formerly, they had "drawn to a head." Burnet has affirmed that the councillors were "flustered with drink;" but this is a most malicious calumny, and the act shews no symptoms of any such incapacity. The covenanters were guaranteed by parliament in their possession, however irregularly they may have obtained it, on the simple condition of demanding a presentation from the patron, who was not at liberty to have refused it, and of asking a license from the archbishop, who was obliged to grant it. It appears folly to have objected to such easy conditions, with which, however, it is likely they would have eventually complied, had not the effects of the act of uniformity in England set them an example which they determined to follow, and which fortified their desires to act up to their principles. If men are not conscious that the principle of their actions is wrong, as in this case, they cannot be blamed for

acting in obedience to it ; but these men had other motives, of *popularity* and the *reputation of martyrdom*, besides to guide them. Their irregular entrance, and total want of ordination, were evils which might have been cured by time, which softens most asperities ; but the schism which they created by the desertion of their parishes has been as yet an incurable evil, having continued from that day to this, but latterly under a new face, and which originated in the obstinate punctiliousness of the ministers, on the one hand, and the precipitancy of the council on the other. The following is a copy of the Glasgow act, so important in its consequences to the peace of the Scottish church¹ :—

“ At Glasgow, 1st of October, 1662, the lords of his majesty’s privy council taking into consideration, that notwithstanding it is statute and ordained, by an act of the last session of the current parliament, entitled, ‘ An Act concerning such Benefices and Stipends as have been possessed without presentation from the lawful patron ;’ that all ministers who have entered upon the cure of any parish, in burgh and landward, in or since the year of God, 1649 (at and before which time the patrons were most injuriously dispossessed of their patronages), have no right unto, nor shall uplift the rents of their respective benefices, modified stipends, manse, or glebe, for this instant year 1662, nor for any year following, unless they should obtain presentation from the lawful patron, and have collation from the bishop of the diocese where they live, before the 20th day of September last ; as likewise that it is statute and ordained, that the 29th day of May be yearly kept as a holiday unto the Lord, for a solemn anniversary thanksgiving for his majesty’s restoration to his royal government, and that all ministers should observe the same in their respective parishes, under the pains therein contained ; yet several ministers have not only contravened the aforesaid acts of parliament, but in manifest contempt of his majesty’s royal authority, albeit they have justly forfeited their right to the benefices, modified stipends, and others, continue to exercise the function of the ministry at their respective parishes as before ; therefore, they prohibit and discharge all ministers who have contravened the aforesaid act of parliament concerning the benefices and stipends, to exercise any part of the function of the ministry, at their respective churches in time coming, which are hereby declared to be vacant : and that none of their

¹ Wodrow’s History, i. 281-283.—Burnet’s Own Times, i. 276-277.

parishoners who are liable in any part of their stipends, make payment to them of this instant crop, and year of God 1662, or in time coming, as having no right thereunto; and that they do not acknowledge them for their lawful pastors, in repairing to their sermons, under the pain of being punished as frequenters of private conventicles and meetings. And command and charge the said ministers to remove themselves and their families out of their parishes betwixt and the first day of November next to come, and not to reside within the bounds of their respective presbyteries. As likewise, that no heritor or others, liable in payment of any part of the minister's stipend, make payment to any minister who hath contravened the aforesaid act of parliament for keeping the anniversary thanksgiving, of any part of this year's stipend, and declare that the ministers who have contravened the said act shall be liable to the whole pains therein contained; and ordain these presents to be forthwith printed and published by the sheriffs of shires, and magistrates of burghs, that none may pretend ignorance."

THIS UNEXPECTED vigour created a considerable sensation among the ministers of the covenant, and about a hundred of them deserted their parishes "for conscience sake;" the author of the *Memoirs*¹ says there were *two* hundred thrown out. "They could not keep holidays, they could not take the oath of allegiance or supremacy, they could not own patrons, nor subject themselves to bishops;" and Wodrow jumps to the conclusion that "therefore they must be turned out²." The turning out was entirely *their own act*. Middleton and the council went through Ayrshire to Dumfries, and thence to Edinburgh, where he was first made acquainted with the effects of the Glasgow act. The other members of the council, it is said, blamed the commissioner much, and they summoned the two archbishops to assist them with their advice to redress the disorders that had arisen, "and to provide for the good people, whose condition would be rendered very hard, through the want of the ministry and the benefit of the ordinances." Great part of the diocese of Glasgow had been, by the rash desertion of the ministers of the covenant, laid under an *interdict*; and the people were very discontented, and in some places riotous. At the meeting of the council, an act was prepared and published on the 23d of December, which narrated how much the covenanters had experienced "his majesty's grace

¹ *Memoirs*, p. 78.

² *History*, i. p. 283.

and pardon, both as to their public acting and their undue possessing of benefices, many of them having, during these late troubles, *intruded themselves* into churches, stipends, and benefices, without any right from the lawful patrons, and so being liable in law for their intromissions; yet were by his majesty's favour indemnified for what they had possessed, and the patrons ordained to give them new presentations, and a competent time allowed for obtaining the same, with collation from the bishop of the diocese thereupon, which being done they were from thenceforth to *enjoy their churches as freely* as any other ministers within the kingdom." Those, however, who should still continue obstinate were ordered to remove to the north of the river Tay, and were prohibited from keeping conventicles, or of residing within the dioceses of Edinburgh or St. Andrews. The time for obedience to the law was extended to the first of February next year, and those who had deserted their benefices were allowed to repossess and retain them till that date, on condition of complying with the terms of the act; but those who continued obstinate should "thenceforth be esteemed and holden as persons disaffected to his majesty's government¹."

MOST OF THE SELF-EJECTED covenanters returned to their charges on the promulgation of this act; but met with little sympathy from their late flocks, and their desertion was made "one of the first handles to the common people to *censure* them." "And this [desertion] it was thought, they did out of a presumptuous conceit that the church could not be served without them, and that ere long the administration would be obliged to yield to them, and even court them to return to their charges. But they were mistaken, and several of them did in the end blame themselves, and were blamed by the more judicious of their party, for being so unreasonably stiff, or so foolishly tame, in throwing up their kirks without something of their wonted opposition. However, they bawled out, as their successors do to this day, against the arbitrary cruelty of this act of Glasgow, as it is called, forgetting, in the meantime, their own many acts at Glasgow twenty-four years before, which were equally cruel, and far more unjust, than what was done at this time. For with what little shew of either reason or equity they made or make such tragical exclamations, will readily appear from the act itself. The parliament meddles not with their ministerial character, either as presbyterians, or of any other denomination: it only declares, what was *matter*

¹ Wodrow's History, i. 285.

of fact, that they had taken and were keeping possession of houses and lands and rents, which certainly are matters of parliamentary cognizance, without any just title, and in open violation of another party's rights; and at the same time, by an extraordinary and unmerited act of royal clemency, it puts them in an easy way of *legally* keeping hold of what they had *illegally* seized. If they could not or would not comply with the prescribed terms of making out a just title, they were in no better condition than robbers, as it were, of a wrecked ship; and the wisdom of the nation, when providing for a general restoration of property and privilege, could not in justice deviate from the intended plan, to please the humours or consciences of a few particular malcontents¹. And Burnet, personating a clergyman, says, "As for the turning out of your ministers, if the laws, to which their obedience was required, were just, then their *prejudices, misinformed consciences, or peevishness*, and *not* the tyranny of the rulers, must bear the blame of it. And for these set in their places, if upon so great a desertion of the church by so many churchmen all their charges could not be of a sudden supplied with men so well qualified, or of such gifts and worth as was to be desired, it is nothing but what might have been expected upon such an occasion. And for your revilings, they well become the spirit which appears too visibly in the rest of your actings; but we [the clergy] still study to bear these base and cruel reflections with the patience becoming the ministers of the gospel, and of those who study to learn of him, 'who, when he was reviled, reviled not again;' but stood silent at these unjust tribunals, when he was falsely and blasphemously reproached by his enemies; and therefore I shall leave answering of these fearful imputations you charge on our clergy to the great day of reckoning, wherein 'judgment shall return to the righteous, and all the upright in heart shall follow it.' And in the meanwhile shall study to 'bless when you curse, and pray for you who do thus spitefully use us.' We trust our witness is on high, that whatever defects cleave to us, and though, may be, we have not wanted a corrupt mixture (as you know among whom there was a son of perdition), yet we are free of these things you charge on us promiscuously, and that *these imputations* you charge us with *are as false as they are base*. But all this will not serve the turn of many of your dividers, whose ministers continue with them as formerly, and merely because they hold themselves bound in conscience to obey the laws

¹ Skinner's Ecclesiastical History, ii. 463.

they are separated from. Truly, if you can clear this of separation, you are a master at subtle reasoning. For you know *it is not the third part* of this church which was abandoned by the former ministers upon the late change, and yet the humour of *separating* is universal. And though some few of your own ministers have had the honest zeal to witness against this separation, yet how have they been pelted for it by the censures and writings of other schismatics? which hath prevailed so much upon the fears or prudence of others, that whatever mislike they had of these separating practices, yet they were willing either to comply in practice, or to be silent spectators of so great an evil¹."

THE PROCEEDINGS of the covenanting presbyterians in England had an effect on the remonstrators in Scotland, after the passing of the act of uniformity. Lord Clarendon said, when he introduced the bill into the House of Lords, "what good christian can think without horror of these ministers of the gospel, who by their function should be messengers of peace, and are in their practices the only trumpeters of war and incendiaries towards rebellion?—And if the person and place can aggravate the offence, as no doubt it does before God and men, methinks the preaching rebellion and treason out of the pulpit should be as much worse than the advancing it in the market, as poisoning a man at a communion would be worse than killing him at a tavern." The act of uniformity passed both houses, and received the royal assent on the 19th of May. It is prefixed to the larger sized prayer books, and ordains that "all and singular ministers are bound to use the morning prayer, evening prayer, and all other prayer, in such order and form as is mentioned in the book; and that every parson, vicar or minister, shall, before the feast of St. Bartholomew, 1662 [24th of August], after the reading of the said book, declare his unfeigned assent and consent to the use of all things in the said book, in these words:—I, A. B., do hereby declare my unfeigned assent and consent to all and every thing contained and prescribed in and by the book entitled 'the Book of Common Prayer, &c.—and the form or manner of making, ordaining, and consecrating of bishops, priests, and deacons.' The penalty for refusing was deprivation; and those presbyterian ministers who had taken such a deep part in the preceding rebellion, and were bound by their oaths to extirpate that which this act called on them to maintain, and besides who had

¹ Vindication of the Authority, Constitution, and Laws, of the Church and State of Scotland, 278-280.

forcibly turned out the episcopal clergy and usurped their livings, refused to make the declaration, and it is said about two thousand of them quitted their livings, and made way for such of the former incumbents as were still alive, eight thousand of whom had been driven out of their benefices by these ministers of the covenant. The enemies of the church call this a "second St. Bartholomew's massacre;" but they forget a similar figurative massacre of eight thousand loyal and orthodox clergy of the church of England, with their families, whom the covenanters not only turned out of their benefices, but plundered of all their property, imprisoned, and intended to have shipped them off for Algiers to be sold to Turks for slaves. "The malice of the faction," in the persecution of the church during the supremacy of the covenant, "and the miseries of the clergy, seem each to have been perfected in the exquisite and finished wickedness of this *covenant*; for no less than the loss of all liberty and livelihood, and the dismal cries of a starving and perishing family, were the unavoidable attendants on its refusal; nor was any corner of the kingdom exempted from these calamities; and yet on no other conditions could this be avoided than by engaging their souls in the most solemn manner to God, [in the covenant] that they would tear up the very foundation of that church which most of them did think in their consciences to be the best and purest church of Christ upon the face of the earth, and to which they were all bound by many oaths and subscriptions; and that they would destroy and extirpate the very *order* from which they held their *own*, and which far the greatest part of them fully believed to have been the institution of Christ himself, either *immediately* by his own hands, or *mediately* by those of his own holy apostles. It was also to declare, *in the presence of God*, that they did renounce that allegiance to his vicegerent, which, by his own laws, by those of the realm, and by many sacred and inviolable oaths, they were implicitly bound to yield to him; and in the same manner to involve their souls in the foulest, blackest, and most execrable rebellion that ever nation (as the noble lord Clarendon hath observed), '*was either cursed with or under*.'"

ALL MINISTERS and schoolmasters were bound at their admission to their offices, before the feast of St. Bartholomew, to subscribe a declaration—"that it is not lawful, under any pretence whatsoever, to take arms against the king; and that I abhor the traitorous position of taking arms by his authority

¹ Walker's *Sufferings of the Clergy*, cited in *Voice of the Church*, p. 439.

against his person, or against those that are commissioned by him; and that I will conform to the liturgy of the church of England, as it is now by law established. And I do declare that I do hold there lies no obligation upon me, or on any other person, from the *oath* commonly called 'the Solemn League and Covenant,' to endeavour any change or alteration of government, either of church or state; and that the same was an *unlawful oath*, and imposed upon the subjects of this realm against the laws and liberties of this kingdom."

THE MILITIA ACT was farther explanatory of the constitution, and declared and recognised the rights of the crown, and which is not intended ever to be repealed. The preamble to which says—"Forasmuch as within *all* his majesty's realms and dominions, the sole supreme government, command, and disposition of the militia, and of all forces by sea and land, and of all forts and places of strength, in and by the law of England, ever was the undoubted right of his majesty and his royal predecessors, kings and queens of England; and that both or either of the houses of parliament cannot, nor ought to pretend to the same, nor can, nor lawfully may, raise or levy any war, offensive or defensive, against his majesty, his heirs, or lawful successors¹." These statutes, says Dr. Collier, "are remarkably extensive and determining: they point particularly against all evasion and reserve: the force of language could not, one would think, secure the crown better, nor bar resistance more effectually than this provision²."

MANY OF THE presbyterians who had intruded into parish churches without authority, and where the episcopal incumbent had been forcibly ejected, were now called upon to take the oath of allegiance. They peremptorily refused to take the oath, and, therefore, in terms of the act, they were holden as disaffected to his majesty's person and government; and were deprived of their ill-gotten benefices. With the exception of Mr. Robert Lawrie, the ministers of Edinburgh, who had climbed over the wall into the fold and dispossessed the former episcopal incumbents, now fell under the operation of the act for refusing to take the oath of allegiance and supremacy. On the anniversary of the gunpowder-plot, Joseph Meldrum, minister of Kinghorn, John Robertson, parson of Dysart, and Archibald Turner, minister of North Berwick, were inducted by bishop Wishart into the vacant city charges. Christmas-day was kept with the same solemnity, in Edinburgh at least, as it is in all christian countries. The bishop preached, and

¹ Stat. 13, ch. ii. cap. 6.

² Collier's Ecol. Hist. v. viii. 452.

the lord chancellor, with many of the nobility and the magistrates, attended in the high church. In the interval the provost advertised the citizens by "tuck of drum"¹ to observe the remainder of the day as a holiday, and prohibited the shops from being opened, or any markets to be held in the streets, under the pain of twenty shillings Scots. At this time, Messieurs Livingstone, Trail, Brown, Gardner, all remonstrators, and the ferocious Neave, of bloody memory, having refused to recognise the king's supremacy and take the oath, went over to Holland, the common asylum of the discontented remonstrators, and where they plotted all the seditions and treasons which distracted the country to the epoch of the Revolution².

1663.—The earl of Middleton was a blunt, straightforward soldier, but not much of a politician; whereas the earl of Lauderdale had studied expediency under the covenant, and, besides, was at the king's elbow to misrepresent Middleton's actions, to aggravate his errors, and to prejudice the royal mind against him. He was ordered up to London, and Burnet says he was very coldly received by the king. Charles's displeasure, however, was more with the manner than the matter of his alleged violence; for he pretended that he had acted without, and, in some cases, in opposition to, his instructions. Lord Clarendon interposed some delays to Lauderdale's motion for the assembling of a council, but when it met Lauderdale accused the earl of Middleton of many miscarriages in his great office, which he aggravated so much as to amount to high treason. He particularly accused him of having accepted bribes from many of the presbyterians, to exclude them from the list of fines. The earl of Middleton was the less able to support this attack, as his friend the earl of Clarendon's credit was beginning to wane; but he excused some errors in point of form, because, having been a military man, he was not so well acquainted with the formalities of law. In his general defence he insisted that whatever he did was with the best intentions for the king's service, that his friends might be advanced, his enemies humbled, and so loyal a parliament be encouraged. Archbishop Sheldon defended the commissioner, and was very earnest with the king to forgive him, because his administration had been wholly directed to the good of the king's service and the establishment of the church, although it might have been deficient in point of form. The

¹ Wodrow's History, i. 322.

² Crookshank's History of the Church of Scotland, i. 151.

duke of Albemarle, who well knew the temper and spirit of the covenanters, powerfully supported him, and told the king that he had followed the only course for effectually serving his majesty. The Scottish bishops also wrote in his favour, and in vindication of his general policy. Burnet says that archbishop Sharp was sent up by Middleton's friends to support him; but by the time he arrived he found that his assistance came too late. He was declared by these partial judges to be guilty of arbitrary conduct as high commissioner; and to secure the interest of the parties on whom the fines had been imposed, Lauderdale procured a letter from the king to the council in Scotland, ordering them to suspend the execution of the act of fines by proclamation, which was an act of injustice to those who had already paid this arbitrary impost. Charles, however, declared his belief that Middleton was an honest man, and his resolution to protect him; but he thought the credit of his affairs would suffer if he was continued in his high office, and he was required to deliver up his commission. The earl of Rothes was appointed high commissioner, and Lauderdale, after effecting the ruin of his more honest and patriotic rival, was continued secretary of state. He began to court the primate, and made the most extravagant promises "to serve the bishops and the church at another rate than lord Middleton was capable of doing," and the primate hoped that from the suspicions that were entertained against Lauderdale of favouring the presbyterians, he would be more ready to support the church than he had hitherto been.

THE EARL OF MIDDLETON fell a victim to the vengeance of his political enemy, the earl of Lauderdale. His resolution and firmness prevented the kingdom from being again deluged with religious anarchy. He saw the necessity of steady ecclesiastical government, and having lived in the midst of the violence and insubordination of the late times, and having felt the unjust severity of presbyterian malignity, he was the better able to judge of the temper and disposition of the people than his rival, who had been confined to the Tower from the battle of Worcester to the Restoration. "Middleton had lived in great magnificence, which made him acceptable to many;" but the accounts of his intemperance, which Burnet and Wodrow have recorded, are malignant falsehoods, proceeding from the vain-glorious gossiping of the one, and the fiendish malevolence and lying spirit of the other. It cannot be supposed that such good men as the earl of Clarendon and bishop Sheldon would have supported a minister who was, as Burnet falsely asserts, "perpetually drunk;" or that the Scottish bishops

would have been so earnest to prevent his dismissal, if he had been the disreputable person that presbyterian authors represent him, and who have most vilely calumniated his character.

"He was a firm friend, though a violent enemy." "Hurt, perhaps, in his fortune, by that, [his magnificence] he retired after his disgrace to the friery near Guildford, to one Dalmahoy there, a genteel and generous man, who was of Scotland; had been a gentleman of the horse to William duke of Hamilton (killed at the battle of Worcester), married that duke's widow, and by her had this house and a considerable estate adjoining to it, where, over the river which runs through the estate, this earl [Middleton] built a very handsome large bridge, calling it by his own name, and was the present he made to Mr. Dalmahoy for entertaining him at this place. The bridge is now down; but I remember it standing, with brass plates upon it, that had *Middleton Bridge* inscribed upon them¹." He lived in this private manner for some time, till lord Ruthford resigned the government of Tangier, a sea-port town of Fez, in Africa, opposite to Gibraltar. The Portuguese took it from the Moors in 1471, and it made part of the dowry of the princess Catherine, whom Charles II. married soon after the Restoration. Middleton was sent out as governor to this place, where, a few years afterwards, he fell in going down stairs, and broke his arm, which, in that hot climate, produced inflammation, of which he died. His death is mentioned by all presbyterian writers with the most savage exultation, as a judgment on him, as the instrument for carrying into effect his majesty's patriotic intentions, and the wishes of the great majority of the people of Scotland. He was not married, and left no heirs to inherit the title, which at his death became extinct. In the year 1684, Charles unfortunately thought it was not worth while to keep up the expense of this fortification; he ordered the works to be blown up, and the troops to be removed.

THE EXTENSION of time which had been given to the refractory ministers, and the modifications adopted at the council-board, had not the desired effect. There were now said to be nearly two hundred vacant benefices, in consequence of the covenanted ministers having deserted them. All these having sworn to the covenant, which imposes the duty of extirpating episcopacy, it could not be expected that, glorying as they did in such extirpation, they would accept collation from men whom they considered "antichrists," and were sworn to destroy. They were cunning in their generation, as well as

¹ Note by Mr. Onalow, son to the Speaker of the House of Commons, in *Burnet's Own Times*, i. pp. 369-370.

"heady" and "high-minded;" for they imagined that such a body simultaneously resigning would embarrass both their civil and ecclesiastical governors; and so indeed it did. They roused their parishioners to a deep resentment against the episcopal order; but they kept them in entire ignorance of the real cause of all the uproar. "I believe," says Kirkton, "there never was such a sad sabbath in Scotland, as when the poor persecuted ministers took leave of their people. It did not content the congregation to weep all of them, but they *howled* with a loud voice, weeping with the weeping of Jazer, as when a besieged city is sacked¹." Nevertheless, it is allowed by their own historian himself, that "those worthy ministers were blamed for leaving their congregations so easily, and going out at the first publication of the council's pleasure."—"So fickle and uncertain are the sentiments of a multitude, that some were ready even to have suspected the ministers, had they continued at their posts, as secretly in collusion with the bishops, as afterwards did appear in the reproaches cast on some this way²." Archbishop Sharp was dissatisfied with the summary proceedings of the privy council, which gave their act of council in that city the appearance, though unjustly, of persecution. He said, that the most prudent method would have been to have allowed them to vacate their churches in detail, and which might have been gradually and insensibly filled with orthodox and peaceable clergymen. But the simultaneous desertion by so many, embarrassed both the archbishop of Glasgow and the privy council, and at the same time it excited a temporary clamour among the people, whose excitement was increased by the violence and uncharitable insinuations of the late incumbents. That archbishop Sharp's opinion was the most prudent and safe is admitted by Kirkton; who says, "Lastly, had they stayed till they *had been turned out one by one*, and their places planted immediately, as bishop Sharp designed, the change had never been so sensible, nor the opposition to bishops so considerable; whereas, Providence made the course ministers took, the first act of clear opposition to that course by the alienation it made upon the people; and the break it made upon the country, the bishops and all their might were never able to heal." No, neither were the presbyterians; for the same breach or schism, for the same cause and by the same parties, broke out in the presbyterian establishment soon after the Revolution, and which continues under the name of the Secession, with equal raucour, to this day, and which looks very like a just judgment upon them for

¹ Kirkton, p. 150.—Wodrow, i. 323.

² Wodrow, i. 330.

their former divisions. "Yet such," continues Kirkton, "*was the weakness of the people, that many of them began to censure what they had formerly approven, and the ministers' bitter sufferings turned with some rather into offence than an edifying example. Such was the cloud upon us at that time, ignorance, scrupulosity, and censure, being frequently conjoined in our sad experience*¹."

As **THESE** rigid presbyterian ministers had deserted their parishes, it became necessary to supply their places, which could only be done by an importation of theological students from the northern parts, where episcopacy had never been extirpated. Burnet gives a bad and most inconsistent character to these young clergymen, who succeeded the "superstitious and haughty" deserters; but it is impossible to believe all that he says on either side, for he would seem to be perfectly ubiquitous; and he always either sees, or hears every thing himself, or was "told" them by the chief actors themselves. For instance, the king himself, lord Landerdale, Primrose, and archbishop Sharp, let him, although only nineteen years of age, into all the secret history of the time! He affirms, that at that early age the lord chancellor importuned him to select any of the churches which had been deserted; but with that singular modesty which seems, from his "Own Times," to have been such a conspicuous feature in his character, he declined the "much-pressed" preferment. He maliciously gives a similar base character to the new episcopal incumbents that he had bestowed on the presbyterian deserters, and says, "there was a sort of an invitation sent over the kingdom, like a hue and cry, to all persons to accept of benefices in the west. The livings were generally well endowed, and the parsonage houses were well built and in good repair; and this drew many worthless persons thither, who had little learning, less piety, and no sort of discretion!" This may be true of some of them; for where the carcass is, there will the eagles be gathered together; but even among saints, of the mature age of nineteen, there will be slanderous sinners and indiscreet persons. "They came thither with great prejudices against them, and had many difficulties to wrestle with." There is no doubt they had; for he assures us that "their ministers [of the covenant, who had deserted their charges] had, for some months before they were thus silenced, been infusing this into the people, both in public and private, that all that was designed in this change of church government was to destroy the power of godliness, and to give an impunity to vice; that prelacy was a tyranny in the church,

¹ Kirkton's History, p. 152.

set on by ambitious and covetous men, who aimed at nothing but authority and wealth, luxury and idleness; and that they intended to encourage vice, that they might procure to themselves a great party among the impious and immoral¹."

TO THE BLACK catalogue of sins and infirmities given by a youth of nineteen, Kirkton and Wodrow add the deeper note of their malignity:—"When the curates entered their pulpits," say they, "it was by an order from the bishop, without any call from, yea, contrary to, the inclinations of the people. Their personal character was black, and no wonder their personal entertainment was coarse and cold. In some places they were welcomed with tears in abundance, and entreaties to be gone; in others with reasonings and arguments which confounded them; and some entertained them with *threats, affronts, and indignities*, too many here to be repeated. The bell's tongue in some places was stolen away, that the parishioners might have an excuse for not coming to church. The doors of the church were barricaded, and they made to enter by the window literally. The laxer of the gentry easily engaged to join in their drinking cabals, which, with all iniquity, did *now* fearfully abound and sadly exposed them; and in some places the people, fretted with the dismal change, gathered together and violently opposed their settlement, and received them with showers of stones."—"I have known some profane people, if they had committed an error at night, thought affronting a curate to-morrow a *testimony* of their repentance."—"Besides, these curates had not the qualifications of ministers; for they were neither sound in the faith nor moral in their practice; neither had they a right to officiate in the places where they were thrust in, because, instead of having the consent and approbation of the people, they were imposed upon them by compulsion and violence²." These are the statements of presbyterian ministers, and, as if by a sunbeam, they shew that a spirit had been preached into the people at utter variance with the gospel, which instructs us to be courteous and pitiful, to submit to every ordinance of man for the Lord's sake, to obey those that have the rule over us, and to submit ourselves. Many of these deserters had been themselves inducted by military violence under the auspices of Gillespie, so much against the inclinations of the parishioners, that it was necessary to ordain and induct them in the fields, and settle them at the point of the bayonet. Their diligence in preaching the

¹ Burnet's Own Times, i. 283-84.

² Kirkton's History, 161.—Wodrow's History, i. 313.—Crookshank's History, i. 152.

principles of the covenant must have been very considerable, to have made the people act in the unchristian manner above described. Wodrow himself seems to have some misgivings on this point, for he immediately adds, "This was not, indeed, the practice of the religious and more judicious; such irregularities were committed by the more ignorant vulgar; yet they were so many evidences of the regard they [the new clergy] were like to have from the body of their parishioners. Such who were really serious mourned in secret, as doves in the valleys, and from a principle could never countenance them [the clergy], and others dealt with them as has been said."

FROM THE Reformation to the present day, Scottish ecclesiastical history has been only viewed through one medium, and the black character given above to the episcopal clergy has been aggravated by all our historians; but "their patient submission to the most vexatious persecution after the Revolution, adds to the force of the proof, which is not to be invalidated by the accusation often adduced, that they were weak and wicked, or, as the technical phrase was, *scandalous*. *Weak men* never, I believe, suffer *real* evil patiently, and *wicked men* certainly never do, if by any compliance they can avoid it. Now the episcopal clergy of Scotland [particularly these men who now succeeded to the deserters], at the Revolution suffered *the loss of every thing*, and suffered in a spirit which *never was exceeded in any age of the church*¹."

A QUESTION NOW AROSE among the western people, whether or not it was lawful to hear the curates, as they denominated the episcopal clergy; and from the teaching of their former ministers they soon found that it was unlawful. Some went to considerable distances to hear the presbyterian ministers who had not vacated, and others went to the dwelling-houses of the deserters; so that they were at first obliged to preach outside their houses, and afterwards took to the high places in the fields, which was the original of the FIELD MEETINGS. Wodrow says, that "none of these ministers were scandalous, insufficient, or negligent, *as far as could be noticed*²;" which, in other words, is an acknowledgment that they were *hypocrites*. The first that took to the fields were JOHN WELSH and GABRIEL SEMPLE, who were held in great estimation by the people of their persuasion, and these men strongly urged on their followers to be constant to *the Cause*, to flee from the perjured curates as from the pestilence, and to avoid false teachers.

¹ Note E to Bishop Walker's Gaelic Sermon.

² History, i. 332.

IN FEBRUARY of this year, Dr. Mitchel, bishop of Aberdeen, died of a fever, and was buried in his own cathedral of St. Machar. He had intended to have gone to the parish church of Marie-Culter [Maria Cultura], to have declared that parish vacant, on account of the nonconformity of Mr. Leask the incumbent, but was prevented by the fever which carried him off in a few days. Leask kept his parish several years afterwards, and when on his death bed he declared to the episcopal incumbent of Peter-Culter [Petri Cultura], who went to visit him, "I am dying in the faith of what I have held, and am *as full of glory* as a clay vessel can hold!" There were other two presbyterian ministers in the diocese of Aberdeen, who, by the liberality of bishop Mitchel and his successors, were allowed to retain their parishes till their death: Mr. Dunbar, minister of Kearne, in the presbytery of Alford, and Mr. Gilbert Clerk, of New Deer, in the presbytery of Deer¹. Mr. Alexander Burnet was elected to the see of Aberdeen, and probably was consecrated by archbishop Sharp, although no author that I have seen mentions when or where he was consecrated, which is much to be regretted. "He had formerly held a rectory in England, from which he was ejected by the puritans in 1650. After this he went abroad, and was fortunate enough to be of some service to Charles II. in procuring private intelligence for him from his friends in England. For this, and through some interest he had besides, independent of his personal merits, which were of the highest order, he was made bishop of Aberdeen²."

FOR THE FURTHER relief of the presbyterian ministers, on the 8d of March the privy council issued a proclamation extending the time for the meeting of the synod of Galloway to the second Wednesday of May. The privy council also sent a circular letter to the bishops, warning them of the machinations of the jesuits and seminary priests, who were taking advantage of the times to beguile many unstable souls, and to corrupt them both in their religion, obedience, and allegiance; and requiring their lordships to take some effectual course in their synods to ascertain the numbers of those who profess popery, and to send an account of them to the privy council. Wodrow gives government great praise for an order of council for the strict observation of the Lent fast,—“that no subject, of whatsoever quality, rank, or degree, except they have a special license under the hand of the clerk of the council, pre-

¹ Keith's Catalogue, 133.—Crookshank's History, i. 153, 154.

² Life and Times of Archbishops Burnet and Ross, in Ep. Mag. i. 787.

sume to eat flesh during the said space of Lent, or upon the three said weekly fish days; and that no butchers, cooks, or ostlers, kill, make ready, or sell any flesh, either publicly in markets or privately in their own houses, during the said time or upon the said days¹." His approbation, however, is not on the right principle, but because it would act beneficially "for the preservation of the young bestial and the consumption of our fish, which the Lord hath so bountifully given us." The field meetings in the west were beginning to attract the notice of government, and the chancellor wrote to sir James Turner to report all those who were disaffected and used seditious language; and in consequence of information "from a sure hand," that there were great abuses committed by some of the heritors, a commission was given to the marquis of Montrose, the earl of Eglinton, and lord Cochrane, to meet at such times and places as they thought fit, with power to summon seditious heritors before them, and hold them to bail to appear when called in court, or to commit them if necessary. The name of the sure hand is not mentioned, but he is gratuitously assumed by Wodrow to have been "*very probably* the archbishop of Glasgow, or others;" but whoever the "sure hand" was, he was only doing his duty to the government and to society.

ASCENSION-DAY fell this year on the 28th of May, and Nicol says, it was religiously kept in Edinburgh and most other parts of the kingdom. Upon the 29th, which was the king's birth-day and also the anniversary of the king's restoration, he continues, "was a solemn thanksgiving for his majesty's restoration to the royal government of his kingdoms, and a day for the commemoration of his birth; being a day honoured and rendered auspicious to the kingdom by his majesty's royal birth upon that day of the month. This day was universally kept and set apart as a holiday unto the Lord in all the churches in Scotland, and especially in Edinburgh, and in all the churches thereof, before noon. And after dinner all tokens of joy and thanksgiving were given by the town, in busking of their cross with green branches; running of wine from their spouts; the magistrates being upon the cross, they drank merrily and brake their glasses, threw them and their sweatmeats and comfits upon the High-street; erected a large scaffold upon the east-side of the cross, whereon there were placed six dancers; all this time the viols playing, the drums beating, the bells ringing, and the trumpets sounding, and the cannons roaring; with numbers of people through all the

¹ History, i. 319-239.

streets, dancing about the fires, both men and women. There was nothing lacking to make this day honourable¹."

PARLIAMENT met on the 18th of June, and the lord bishop of Aberdeen preached before them. On the earl of Middleton's fall, the king appointed the earl of Rothes commissioner; but Burnet says Lauderdale would not trust him, and therefore went down with him, and kept him visibly in dependence upon himself, as secretary of state, and the business of parliament proceeded exactly as the secretary of state dictated. He brought a full pardon for lord Lorn, the son of the late Dictator, who, to save appearances, and at his father's advice, had pretended to be loyal, so as to save the estates and title of the family when retributive justice should overtake him, as in the latter part of his career he instinctively foresaw and anticipated. In consideration of his simulated loyalty the king was graciously pleased to restore him to his grandfather's honour of earl of Argyle, and his estates, which had been forfeited by his father's treason and rebellion. In support of the episcopal authority which so long a course of anarchy had somewhat weakened, it was enacted that all the ministers who refused to attend the diocesan synods, or to yield obedience to any other act of church discipline, shall for the first fault be suspended by the bishop, and be deprived for the next. A second act provided that noblemen and heritors who wilfully and obstinately absent themselves from their parish churches, shall lose a fourth part of that year's rent in which they are accused; yeomen the fourth part of their moveables; burgesses the same, together with the freedom of the town in which they live. A third act required all persons in public offices to subscribe the oath of allegiance; for refusing which the earl of Crawford was deprived of his office of treasurer, and sir James Dundas, of Arniston, of his seat in the Court of Session.

THE CONSTITUTION of a general or national assembly was established by parliament. It was to be composed of the archbishops and bishops, of all the deans, the permanent moderators of all the presbyteries, and one clergyman besides for each presbytery to be chosen by the members, but subject to the archbishop or bishop's approbation. The king's commissioner was always to be present, and the archbishop of St. Andrews for the time being was always to be the moderator or president; and whatsoever should be agreed to by the moderator and a majority of the assembly, and confirmed by the

¹ Nicol's Diary, p. 391.

king, should have the force of an ecclesiastical law. "And this synod, thus constituted, is to meet at such times and places as his majesty by his proclamation shall appoint; and is to debate, treat, consider, consult, conclude, and determine upon such pious matters, causes, and things concerning the doctrine, worship, discipline, and government of this church, as his majesty shall from time to time, under his royal hand, deliver or cause to be delivered to the archbishop of St. Andrews, president of the said national assembly, to be by him offered for their consideration." This constitution was of such a democratic levelling nature, that the primate always opposed the convention of an assembly so constituted; but Burnet, with his usual self-importance and adherence to truth, says, that "it passed with so little observation, that the lord Lauderdale could scarce believe it was penned as he found it to be, when *I told him* of it. Primrose *told me* that Sharp put that clause in with his own hand!" Lauderdale must have been singularly negligent of his duties, if he passed important acts of parliament without any knowledge of their provisions. This constitution is something like the ten-pound qualification of the reform bill; for it levelled down the votes of the highest dignitaries to those of the inferior clergy, and in point of fact deprived the prelates of all controlling power. The convocation of England, like her parliament, consists of two houses, in one of which the lords of the clergy sit, and in the other their proctors or deputies; by which means the voice of each estate is distinctly enunciated, and the one is a check and counterpoise to the other, as every canon must be debated and passed in both houses before it can be passed. The Scottish assembly likewise followed the pattern of their parliament, and the prelates and inferior clergy sat in one house, and the vote of a presbyter was as potential as that of a bishop or an archbishop. The same principle regulates the constitution and proceedings of the assembly in its presbyterian form. Keeping up the resemblance to parliament and its lords of the articles, the assembly has its committees on bills and overtures, through whom the whole business must pass. All bills from the inferior courts are submitted to the committee on bills; and all overtures from synods and presbyteries, or individual ministers, for the enactment of a new or the repeal of an old law, or for the regulation or exercise of ecclesiastical authority, are presented to the committee on overtures. These com-

¹ Own Times, i. 373.

mittees may refuse to transmit to the Assembly any bill or overture that is submitted to them; but it may be brought into the house although not in its original shape, yet in that of a protest.

THE ACT AS IT WAS passed in parliament was obnoxious to all parties; even the presbyterians were scandalised at it. The inferior clergy complained that, in point of fact, they were deprived of their legitimate weight in an assembly constituted after this manner; for the moderators of presbyteries being appointed by the bishop, were of course devoted to his interest, and the other deputy whom they elected was subject to his negative voice, and thus precluded from that freedom which was necessary in a deliberative body. The bishops again, on the other hand, were dissatisfied with the power which was conferred on the inferior clergy, because their numbers would at any time turn the scale against the prelates. In short, it had the effect of deterring both the governors and the governed from desiring the meeting of an assembly so constituted. But it is rather surprising to see a violent covenanter objecting upon the same grounds to the constitution of their favourite court. "When I observe," says Kirkton, "contrary to the fundamentals of episcopal government, which lodges the power of jurisdiction in the hands of the bishop alone, the meanest presbyter is allowed equal authority with the metropolitan himself, wholly contrary to the constitution of their diocesan meetings, where the presbyters had only a consultative vote, and no more; but let them agree about this, for such an assembly as this, Scotland never saw¹." In truth, the church was oppressed and nearly crushed by the price she was doomed to pay for support and establishment; and which was altogether the natural result of the principles of presbyterianism which had been at work, either actively or passively, ever since the days of its Scottish founder, Andrew Melville. In the two preceding reigns, the crown had suffered so much and so fatally from that cause, that it was natural, now that it had recovered its power and rights, to exert that power so as to prevent the re-enactment of similar horrors; and in consequence the ministers of the crown pushed the royal prerogative to an undue excess.

ONE SYMPTOM of intolerance is remarkable in the "Scots mile act," copied from the English conventicle act; for although it was extremely severe, yet it was only temporary. The conventicle act was occasioned by the spirit of disaffection and revolt which appeared among the dissenters both in England

¹ Kirkton's History, 167, 168.

and Scotland, and which was fostered and stimulated by the presbyterian ministers who had taken refuge in Holland, and who excited their friends at home with the expectation of military assistance from that quarter. In introducing the bill, Lauderdale made a long speech, in which he expressed great zeal for the church; for although he himself and many others also had sworn the covenant, yet they were keen supporters of this act, and it was carried by an almost unanimous vote; for the earl of Kincardine alone and "some few voted against it¹." It narrated that several ministers, who by law had no right to preach or remain in certain parishes, "did notwithstanding presume to assemble his majesty's subjects in churches and elsewhere, to preach, administer the sacraments, and to keep conventicles and disorderly meetings; and do go about to corrupt and dissuade the people from that affection, duty, obedience, and gratitude, they owe to his majesty's government, the laws and authority established, under which the kingdom doth enjoy this great tranquillity and the blessings thereof." Those ministers "who shall be found to preach *seditionously* against the government of church and state," were therefore commanded to remove themselves and families, within twenty days after publication hereof, out of their respective parishes where they were incumbents, and not to reside within twenty miles of the same, nor within six miles of Edinburgh or any cathedral church, or three miles of any burgh royal within this kingdom. This act is undoubtedly subversive of the liberty of the subject, and must have been very severe upon those who suffered under its provisions; but we are indebted for it, and all the other arbitrary acts of that time, to the spirit of sedition and opposition to government, which was the result of the *principles* of the covenant. "Whatever," says a distinguished lawyer, "might be said against such acts in countries where dissenters never entered into war, yet in this isle, where they, upon the same principles, overturned the government and laws, and *were upon every occasion again attempting it*, so small a caution cannot be accounted severe. This caution was much more just in Scotland than even in England, because the dissenters in Scotland were much more bigotted to the covenant, *which is a constant fund for rebellion*. The posterior acts made against field conventicles were the necessary product of new accessional acts of rebellion, and were *not* punishments designed against *opinions* in religion, but merely *against treasonable combina-*

¹ Wodrow's History, i. 341, 342.

tions which exceeded what was attempted in England or elsewhere ; and the government for the time *can truly and boldly say*, that no man in Scotland *suffered for his religion*¹."

THE ARCH TRAITOR sir Archibald Johnston, of Warriston, made his escape in 1660 beyond sea, and a reward was offered for his apprehension, menacing all men who should harbour or conceal him with the pains of high treason. He was afterwards declared fugitive, forfaulted, and his forfeiture read at the cross by the herald. After wandering in Holland for some time he settled at Rouen, where he was arrested by order of Louis XIV. and sent to London, whence he was sent down to Edinburgh for trial. We have seen the history of this deep, designing hypocrite, and it need not be here repeated ; it is enough that his own nephew, bishop Burnet, who was abundantly desirous of palliating the sins of his "unfortunate uncle Warriston," admits that "*there was a great deal against him*." He farther says, "He was so disordered both in body and mind, that it was a reproach to any government to proceed against him²." His appearance of mental imbecility was entirely assumed, to excite pity and to evade merited punishment. He was sentenced to be hanged at the Cross, and his head to be afterwards cut off and placed on the Nether Bow, beside his late friend, Guthrie's. As soon as all hope of escape had ceased, his intellects immediately became as bright and as vigorous as ever. Burnet says, "the presbyterians came about him, and prayed for him in a style like an *upbraiding of God* with the services he had done Him ;" and "a person of very great worth" informed Wodrow that Johnston used to say, "I dare never question my salvation ; I have so often *seen God's face* in the house of prayer !" And on the morning of his execution "he was under a wonderful *effusion of the Spirit of sons*, as great perhaps as many have had since the primitive times !"—"Yet," says his nephew, "when the day of his execution came, he was serene. He was cheerful, and seemed fully satisfied with his death. He read a speech twice over on the scaffold, that to my knowledge he composed himself, *in which he JUSTIFIED all the proceedings in the covenant* [and so died unrepentant], and asserted his own sincerity ; but condemned his joining with Cromwell and the sectaries, though even in that his intentions had been sincere for the good of his country and the security of religion." All the pretence that Burnet can shew for sparing the life of one

¹ Sir George Mackenzie's Vindication,—Works, vol. iv. p. 313.

² Own Times, i. 370.

of the king's most implacable enemies, was, that he was mad ; but surely this is the first "serene" and "cheerful" and composed madman that the world has seen, and one who made the most artful and seditious speech on the scaffold, and copies of which were distributed among the people to corrupt them. Wodrow calls him an "excellent person ;" "a godly and innocent person ;" and "with his dear friends and fellow martyrs, the noble marquis of Argyle and Mr. James Guthrie . . . soaked the foundations of prelacy with their blood ; so the walls now fast building and pretty far advanced behaved to be cemented with the blood of this excellent gentleman." "Thus," says Crookshanks, "fell the *eminently pious* and learned Warriston." It is not easy to conceive what the blood of these three "Scots worthies" could have to do with either the foundations or the walls of prelacy ; but the constant reiteration of such malignant insinuations has rivetted a prejudice in the minds of Scotsmen against the church of their forefathers, that cannot be overcome by ordinary arguments ; and till the veil be removed by the mighty Power who has permitted it to fall upon their hearts and understandings, it is almost hopeless to attempt to undeceive them. And how awful is that delusion which has fallen on men calling themselves christians, to esteem those men "martyrs," whose whole lives had been spent in the blackest treachery, in treason, sacrilege, rebellion, and murder. When the noble army of Christ's holy martyrs are mustered, it is much to be feared that these three *unrepentant* agents of that masterpiece of the devil, and his agents the jesuits—the COVENANT, will not be entitled even to brevet rank in that sacred band.

ON THE ARRIVAL of the commissioner and the secretary of state, several additions were made to the privy council by Lauderdale, who introduced his brother, Charles Maitland, and John Hume, of Renton, together with the archbishops of St. Andrews and Glasgow. The remonstrators had commenced their old practices in the bishoprick of Galloway, and set a riotous mob of women to attack some clergymen, or *curates*, as they were contemptuously called, during the discharge of their official duties in the town of Kirkcudbright ; and the privy council gave a commission to several of the resident noblemen to inquire into the matter, and punish the ringleaders. Several women were convicted of assault and battery, and sentenced to stand at the market-cross with a label, "bearing their fault to be, for contempt of his majesty's authority, and raising a tumult in the said town." These rioters are considered martyrs to the cause, and Wodrow indignantly exclaims, "That

such a splutter should be made, because a few women in two parishes had put some affronts upon the curates when forced in upon them, may seem odd enough, and could not fail to increase the dislike the people in the southern shires had against them. I scarce know what could have been done further, if the highest acts of treason had been committed."

JAMES WOOD, who had been intruded as principal of the Old College St. Andrews, and who still kept possession, although he had been deposed by act of council, was called before the privy council, and ordered to confine himself within the city of Edinburgh, and the place was declared vacant. Some other presbyterian ministers were summoned before the council for "turbulent and seditious carriage;" and the restraint that government found it absolutely necessary to put upon the turbulent and seditious covenanters is said, as usual, to have been at the *instigation* of the two archbishops, for the purpose of exciting vulgar prejudice against them and their order. From the influx of presbyterian ministers from the north of Ireland into the presbyterian dioceses in the south-west of Scotland, the council found it necessary to issue a proclamation on the 7th of October, ordering all persons coming from Ireland, *without sufficient testimonials*, either to return within fifteen days, or to be imprisoned, and treated as seditious persons. It also declared, that all persons who withdrew from their parish churches, should, after three admonitions given them by their respective ministers, be proceeded against, on their names being intimated by their ministers¹. The turbulence of the presbyterian ministers now obliged the council to send the earl of Linlithgow, with a hundred and sixty men, into Kirkcudbright, and sir Robert Fleming, with two squadrons of the Life Guards, to Kilmarnock and Paisley.

DR. SYDSEFF, bishop of Orkney, died at Edinburgh on the 29th of September. Keith says, he was "a learned and worthy prelate." He was the last connecting link betwixt the Spottiswoodian and the present church; and notwithstanding the pretended excommunication of the covenanters, which was never relaxed *nisi in extremis*, he died in the Lord, like a good christian, to rest from his labours, in sure and certain hope of the resurrection to eternal life. With his usual malignity, Wodrow says, "he was buried there [Edinburgh] October the 4th, being a *Sabbath* [and he thereby means to convey the idea of a horrible profanation of the Lord's day]: his corpse lay in state in the east aisle of the east kirk, and Mr. William

¹ Wodrow and Crookshank's Histories.

Annand had a sermon before their interment, wherein he described, with abundance of parade, the family, birth, piety, learning, travels, life, and sufferings for the sake of the gospel, of the deceased prelate¹. In the year 1658, Baillie states, that he was much opposed to a tract of bishop Forbes's, which bishop Sydserf had published at London, on the subject of Justification; and we may suppose the bishop took the right view of that doctrine, from Baillie's invectives against his arminianism and popery, because the bishop asserted, with St. Paul, that they which have *believed* in God ought to be careful to maintain *good works*, and he repudiated the antiscipitural position that faith *alone* is able to save a man. And Baillie says, in another letter, "Thomas Gallovidianus, for his printing Dr. Forbes's (bishop of Edinburgh) *wicked dictates*, is now on his way to London, sent for by the English bishops, *who scoff at our church's excommunication*." His son was editor of a small quarto periodical, called "*Mercurius Caledonius*," which annoyed the presbyterians very much, by the satirical remarks he made on their proceedings; and Baillie besought his friend Dr. Sharp to get it suppressed—"James, have you not so much power as to stay the railing of that very malicious diurnaller?"²

ON THE 9th of October the parliament was dissolved, and the lord commissioner, with the three estates, performed "the Riding" with great magnificence, during which the archbishop of Glasgow caught a cold, that was succeeded by inflammation of the bowels, and which caused his death on the 2d November. His body laid in state in the cathedral of St. Giles, and the very reverend John Hay, parson of Peebles and dean of Glasgow, preached the funeral sermon. At the conclusion of the service the procession moved towards Holyrood House, followed by the archbishop of St. Andrews, the bishops, the lord chancellor, all the nobility and gentry then in town, with the magistrates and lords of session. The body was preceded by heralds and pursuivants, with the arms of the see and of the deceased displayed, and trumpets sounding. He was interred by torch-light in the east side of the chapel royal. He is mentioned more than once by Baillie as having been favourable to malignants, which means, that he was loyal to the king, and opposed to the mad delusion of the times; and Mr. Fairfoul, with a Mr. Colville, he says, "joined together, made a great party, especially when our statesmen did make use of them to bear down those who had swayed our former assemblies." At

¹ Wodrow's History, i. 381.² Baillie's Letters, iii. 390, 406, 454, 468.

the time of the Engagement in 1648, Mr. Fairfoul opposed to his power the leaders in the commission, who were peremptory to "have religion settled first, and the king not restored till he had given security by his oath to consent to an act of parliament for enjoining the covenant in all his dominions, and settling religion according to the covenant." And Baillie says, the commission had not failed to have called both Fairfoul and Colville "to account for their malapertness, had not the intervention of other and greater affairs diverted us¹."

A LITTLE BEFORE the Restoration the severe government of Cromwell in Scotland had crushed all the party feuds, and by suppressing the synods and general assemblies, prevented those cabals, disputes, and tyrannical ordinances of the ministers, which had afflicted the whole nation for the previous twenty years. During the dictatorship of Argyle, the commission of the kirk had grown into a species of temporal and ecclesiastical *supremacy*, altogether inconsistent with the progress of civil government or of general freedom. That wily statesman suggested the formation of the commission, and used it entirely for the purposes of his own aggrandisement, having been always one of the lay-elders included in it; but the ministers became so inflamed with the lust of power, that they frequently exceeded his control. From that body all the acts of tyranny emanated which were so recklessly inflicted on individuals or on the nation at large; and Argyle's power in the government carried them into effect either as ordinances of parliament or of the committee of estates, of which he was likewise a member. "And should I here recount the procedure of the kirk judicatories, against all who were thought disaffected, I should be looked on as one telling romances, they being beyond credit! What processes of ministers are yet upon record, which have no better foundation than their not preaching to the times? their speaking with or praying before Montrose? their not railing at the Engagement, and the like? And what cruelty was practised in the years 1649 and 1650? None of us are so young but we may remember of it. A single death of one of the greatest of the kingdom could not satisfy the blood-thirsty malice of that party, unless made formidable and disgraceful with all the shameful pageantry that could be devised. Pray do you think these things are forgotten? Or shall I go about to narrate and prove them more particularly? I confess it is a strange thing to see men who are so obnoxious, notwithstanding of that, so exalted in their own

¹ Baillie's Letters, iii. 19-34.

conceits: and withal, remember that the things I have hinted at were not the particular actings of single and private persons, but the public and owned proceedings of the courts and judicatories. These are the grounds which persuade me, that with whatsoever fair colours some may varnish these things, yet the spirit that then acted in that party *was NOT the SPIRIT of God*¹."

CROMWELL's was a military government, and Argyle's cowardice quailed before the sword of the conqueror. During his vigorous government men had time for reflection, and it pleased God to lead both ministers and people earnestly to desire a steady paternal government both in church and state. The restoration of monarchy in the state was followed by the renewal of episcopacy in the church, which mutually support and strengthen each other: like Saul and Jonathan, they were lovely and pleasant in their lives, and in their deaths they were not divided, both having been extirpated by the hand of an Amalekite during the late supremacy of republicanism in the commonwealth and in the kirk. Episcopacy being most agreeable to Scripture and primitive antiquity, has always been, and ever must be, the best friend and ally of monarchy; and which is the true reason why some people so cordially abhor it. Parity of orders can never yield a just subordination to the state, nor will the discipline of the kirk, if carried out to its legitimate issue, agree with the prerogative of a king. In the late times, the commission of the kirk exerted a most tyrannical and despotic dominion over the inferior judicatories and the people at large, in the spirit of the "lords of the gentiles," which is an usurpation forbidden by our Lord². And the obedience that was yielded to their tyranny was compelled by the civil power; and it is remarkable, that as soon as Cromwell suppressed the assemblies, removed that pressure, and prevented the ministers from lording it over their brethren, that this obedience ceased; which shows that it was not a voluntary but a compulsory submission. A bishop may be tyrannical and oppressive to his clergy, and a synod or presbytery may be the same. But in bishops "nature's copy's not eterne;" they must die, and there's an end of their tyranny, for an oppressive bishop may be succeeded by a just and beneficent one; but a corrupt or a tyrannical synod is everlasting; for it may be said never to die. The majority in it, take care to admit none but those who are of the same disposition with themselves. So that the

¹ Burnet's *Vindication of the Authority, Constitution, and Laws of the Church of Scotland*, pp. 249, 250. 1673.

² St. Mark, x. 42-45.

danger of an oppressive synod is greater and more enduring than of a wicked or tyrannical bishop. All ranks of the people showed that they were of this mind, from the enthusiastic reception they gave to the four prelates on their arrival from London; but more particularly to archbishop Fairfoul at Glasgow, which had been the chief seat of the tyranny of Gillespie and the remonstrators, and of archbishop Sharp at St. Andrews, where the whole nobility and gentry of the county of Fife escorted him to that city. The disgusting cant which they used about submitting to and crowning king Jesus, meant nothing else than submitting to the intolerable insolence of all the different kirk judicatories, and suffering every troublesome, pragmatic, or agitating minister, to rail from his pulpit against his governors, individuals among his parishioners that were obnoxious to him, or that had incurred his private resentment, and all the loyal and obedient subjects who served their unfortunate sovereign. The frequent absence of the ministers from their parochial duties had the most pernicious effects both on themselves and on the morals of their people. In one of his letters Baillie complains that he had been absent from his charge seven weeks, without any prospect of release, attending on the commission in debating about the engagement, and trying to prevent the loyal part of the nation from making an effort to remove the disgrace from the nation, which the commission of the kirk and the Argyle faction had indelibly stamped upon their own party, of having sold their sovereign to their own progeny, the independents.

THE MOST VIOLENT accusations have most unjustly been brought against the earl of Middleton, for the acts of parliament and of council, which the tyranny of the rebel government had rendered necessary. The act rescissory was the only instrument by which the royal government could have been relieved from its multiplied embarrassments, and the earl of Middleton deserves great credit for his firmness and resolution in effecting it. Had Lauderdale been the commissioner, all the evils of religious anarchy would have been continued, for he was then a presbyterian at heart, though he had not the honesty openly to profess it. Middleton had experienced the tender mercies of the commission of the kirk, and had been excommunicated by the remonstrators. He had lived the whole time of the rebellion in the kingdom, and knew the bearing of all the three religious parties in it; and he acted in the restoration of episcopacy from the certain knowledge that two of these parties were decidedly favourable to it; and that a large synod of one of them had actually petitioned for it. It comes with a bad grace

from presbyterians to complain of the oath of supremacy, and the displacing a few of the most violent and untameable of the professors in the universities, when they themselves summarily ejected all the professors of colleges, and imposed the sacrilegious oath of the covenant upon all the students at matriculation, and on the people, before they were admitted to their sacraments. The procedure of the king's government in this was but the natural course of retribution, which never fails in this world to follow oppression and wrong. Middleton's balloting act was neither so sweeping in its extent, nor so unjust and oppressive in its operation, as Argyle and the commission's *Act of Classes*, which excluded three-fourths of the kingdom from serving their sovereign in any capacity whatever, not even as common soldiers: whereas the balloting act was only intended to exclude twelve persons from power, to be ballotted for by parliament. But at the Restoration there were no violent ejectments nor arbitrary excommunications, which carried confiscation of property and peril to life in their train; and even the Glasgow act, which produced so much evil, was not intended as a punishment, but merely to declare that those ministers that had been elected by the people, or forced upon them by the remonstrators, had *not a legal title* to their churches. It was proposed to confer this *legal title* upon them on the easiest conditions; and although most of them had got possession by the forcible and illegal ejectment of the former episcopal incumbents, yet they would have received a *legal title*, and have been confirmed in their benefices, had not their fundamental principle of resistance to authority driven the remonstrators to the supposed necessity of *deserting their charges*. The resolutioner presbyterians *accepted* the terms proposed by government, and *were all confirmed* in their livings, and most of them were re-ordained to the priesthood, which was in strict conformity with the principles and practice of the primitive church. "For," we repeat the saying of an ancient father, "do you think it sufficient to say that they are orthodox, and sound in the faith? Suppose they are, yet still their ordination is null and invalid; and then what can their faith, or any thing else, signify? Christians ought to *contend* as earnestly for *valid ordination* as they do for the very faith itself; for if it be lawful for every pretender to consecrate and make themselves priests, then *farewell altar, farewell church, and priesthood too*¹."

WHENEVER WODROW and his imitators record any of the acts

¹ St. Chrysostom, tom. ii. p. 822. Edit. Savil.

of parliament or council which were intended to curb the natural propensities of the presbyterian ministers, they invariably state, without the least evidence whatever, that they were made "at the instigation of the prelates," which was a mere gratuitous assumption, arising out of that intense *hatred* which they bore towards the whole order, but in particular to the primate. The past history of the assemblies and the commissions will show how many deeds of blood, *herryings*, and oppression, were done not only at the instigation of the presbyterian ministers, but at their *urgent demands* and never-ceasing agitation. But the prelates were so far from instigating the council to the measures which they thought fit to adopt, that they acted as a drag upon their precipitancy, and tempered their severity with mercy. The mild steady government of the bishops will bear a comparison at any time with the many instances of cruelty that appeared in the judicatories during the "noon-tide" of the kirk. Those who would not sign the covenant were declared to be the enemies of God, the king, and the country, their persons were seized, and their property confiscated, and in 1643, when some of the nobility refused to sign the covenant, soldiers were ordered to arrest them, and with authority to kill them if they made resistance. All these cruelties were done at the instigation of the commission, which pretended always to be seeking the glory of God; but it was evidently the effects of a spirit at enmity with Him. For many years He visibly appeared to have had a controversy with that church and nation, and His anger does not yet seem to be turned away, but His hand to be still stretched out. It was evident that during the rebellion the leading ministers, and those who usurped the government, were given up to a reprobate mind and a spirit of delusion, for instead of teaching the people obedience and morality, they inculcated under colour of religion the fiercest hatred and animosity into their hearts, against the fathers of the church and against the Lord's anointed, whose authority they renounced; they abandoned and sold his person, cursed and excommunicated the loyalists, who engaged to rescue him, and at last tamely looked on while the independents murdered him. Hatred and wrath are anti-christian, and works of the flesh; for "he that loveth not his brother abideth in death: whosoever hateth his brother is a murderer; and ye know that no murderer hath eternal life abiding in him."

CHAPTER XXX.

PRIMACY OF ARCHBISHOP SHARP.

1664.—Impoverished state of some of the bishopricks.—King's letter to bishops of Galloway and Edinburgh—their report—the king's approbation.—High commission court.—Burnet's egotism—Naphtali.—Precedence restored to the primate.—Troops sent to Dumfries.—Sir James Turner.—James Wood's book ordered to be burnt.—Buchanan's book burnt.—Consecration of bishops Scougal and Honyman—their characters.—Archbishop Burnet.—The king's birth-day.—Whitsunday.—Death of the chancellor.—Earl of Rothes made chancellor.—Primate's letter to bishop Sheldon.—Deposition of ministers.—Letter of deposition of Donaldson—of Maxwell—and others.—Bishop Hallburton's death.—Bishop Guthrie consecrated.—1665.—A general fast.—Presbyterians disarmed—some commitments.—A convention.—Violence against the clergy.—Deaths.—Bishop Leighton.—Number of convictions in the high commission court.—A proclamation.—A riot at the West Kirk.—Marquis of Huntly placed under the primate's care.—Primate's letter to lord Kincardine.—1666.—Bishop of Ross's letter.—Welsh proclaimed.—Incidental notices of respect for the clergy.—The army.—Oath of allegiance.—Consecration of bishop Scroggie.—The plague and fire of London.—Burnet turns reformer—his circular letters.—A meeting of some of the bishops—Burnet summoned before them—and rebuked.—Intrigues of the banished ministers.—Sir James Turner.—An insurrection—the rebels capture Turner—their numbers increase—alarm of the government—measures taken for suppressing the rebellion—movements of the rebels.—Covenant renewed.—A manifesto.—Naphtali.—Rebels advance to the capital—take up a position on the Pentland hills.—Wallace's imprudence.—Dispositions for the battle—the rout—the prisoners—Executions.—Hew Mackail—his trial—execution.—The archbishops accused.—A supposititious letter from the king.—The wind up.

1664.—BY THE REFORMING zeal of the house of Argyle, the bishoprick of Argyle was so completely plundered of every vestige of its revenue, that Fletcher, whom the king had selected for it, refused to accept it because the rent was *naught*. The same eminent house had also laid their sacrilegious hands on the property of the bishoprick of the Isles, and bishop Wallace was obliged to apply to the privy council for a grant of the stipend of his former parish of Barnwell for the year 1663, which was then vacant, in order to eke out the scanty revenues of his see.

The petition bears, that "the provision of the bishoprick of the Isles is so mean that unless his majesty shall be pleased to take some course for helping of it, the petitioner *shall not be able to subsist by it*; by reason of the distance of the place, and the extraordinary expense he is put to in visiting it." He received the stipend of the vacant parish for that time, and Mr. Annand, son of him who was so maltreated by the godly women at Glasgow, when he preached at the meeting of the diocesan synod in favour of the liturgy¹, received a small gratuity for the loss which his father sustained in having been forcibly and illegally ejected from his benefice, the parish church of Ayr.

Early in January the king addressed the following letter to bishops Hamilton and Wishart, which shews that he took a lively interest in the ecclesiastical affairs of his ancient kingdom :—

"CHARLES R.

"RIGHT REVEREND fathers in God, our trusty and well-beloved, we greet you well. Having received from the archbishop of St. Andrews an account of the state and condition of the church of Scotland, we have thought fit to tell you, that we take special notice of your concurring in our parliament and in your particular stations for the furtherance of our service; and as we do expect that by your conformity in your church administrations, and your vigorous and unanimous endeavours in that subordination to which, by the rules of your order, you are bound, you will discharge the trust committed to you, for the good of that church and our service therein; so you may be confident of our princely protection and encouragement, and that we will be careful to employ our royal power for removing these distempers, which the disorders of these late times have created, and preventing and remedying these evils which you apprehend to be prejudicial and obstructive to your pious and lawful designs.

"For the further settlement and weal of the church, we have commanded the archbishop of St. Andrews and the bishop of Aberdeen (whom we have presented to the archbishoprick of Glasgow) to acquaint you that we have granted a commission to be passed under our great seal to persons of known affection to our service, for a speedy and impartial execution of the good laws made in behalf of the church-government, and for

¹ Vide *ante*, vol. i. ch. xiii. pp. 555-556.

preventing and suppressing schisms, which we are hopeful will prove the most effectual expedient for crushing the disobedience and opposition of those who are disaffected to our authority, and the lawful government of the church.

“We have also given instructions to be communicated to you for preparing overtures to be offered to us, for a previous facilitating of the work of the national synod, constituting according to the late act of parliament, which we are resolved to call as soon as we can, promising to ourself, by the blessing of God, the result of that synod may most probably conduce for the settlement and security of that church, in its doctrine, discipline, and worship.

“We have also ordered the planting of the vacant sees of Aberdeen and Orkney with persons of known worth and abilities: and have moreover commanded, that it shall be signified to you with how much satisfaction and content we do take notice of the late act of parliament for the better provision of universities; and that we do commend your exemplary piety and zeal for the public good of church and state, which is visibly concerned in the flourishing of these seminaries of religion and good education in learning and virtue.

“As we do give you our hearty thanks for so good a work, and so beseeching your profession, so we do signify our express pleasure that you use your utmost endeavours for perfecting and rendering the same effectual, according to the intent of the act; and for this end, that you intimate our pleasure to the ministers in their respective dioceses, and appoint collectors, and give to your respective provincials complete rolls of the valued benefices and stipends betwixt and the 10th of August next, and that you take care that the several proportions be paid in against the 1st of February, 1665, according to the tenor of the act. In this you are not to fail, as you would do us acceptable service: and we shall not be wanting both to contribute ourselves, and to invite and persuade others, our good subjects, to imitate so laudable an example for promoting such an universal and public good.

“In order to which we have granted a commission to several persons to join with the respective chancellors for visiting the said universities, and regulating the profession therein, and disposing the relief and supplies of the mean and incompetent maintenance of professors and governors in the several colleges as they shall be proportioned by us. Thus remitting what else we have instructed the archbishop of St. Andrews, for

promoting our service to his relations, we bid you heartily farewell.

"Given at our court at Whitehall, the 12th of January, 1663-4, and of our reign the fifteenth year.

"By his majesty's special command.

"LAUDERDALE."

"Directed to the Right Reverend Fathers in God,
the bishops of Edinburgh and Galloway."

THESE PRELATES immediately commenced the examination which his majesty recommended, with the greatest diligence and exactness, and inquired particularly into the state and condition of the church, and especially into every disorder into which any part had fallen, through neglect or otherwise. They also made the most rigorous inquisition into the conduct of the managers and masters, and also into the provisions of the universities, where it seems they found little "save blind irrational zeal and bigotry;" for the old covenanting leaven had not been entirely purged out of these seats of learning. On these different topics they drew up a plain and faithful report, which was laid before his majesty by archbishop Sharp, and with which the king was so much pleased that he wrote a very gracious answer to each clause specifically; assuring them and the other prelates, who had also rendered them great assistance, "That their concurring with his parliament, and their uniformity in [the] church might make them have a confident assurance of his princely protection. That for removing the distempers which the disorders of the late times had created, now obstructive to their pious designs, his royal power should be employed. That the vacancy in the sees for their further support should be filled up. That schism and disobedience to the lawful government of the church should be tried by commissioners under the great seal. And, lastly, with how much satisfaction and content his majesty takes notice of their concern in the universities, by procuring the additional act, with his hearty thanks for so good a work befitting their profession, for which his majesty gives directions with this promise—both to contribute himself, invite and persuade others, and also to grant a commission for visiting the said universities, and regulating the professions therein¹."

Early in the spring archbishop Sharp went to court, and carried up the report which the bishops had made to the king,

¹ Account of the Familie of Hamilton, of Broomhill. 4to. pp. 56 to 59. Published by the Bannatyne Club.

on the state of the church and the universities. Burnet and others do not scruple to allege the most improbable and unworthy motives for the primate's journey; and they broadly assert that his sole object was to complain of Glencairn the chancellor in particular, and of the whole privy council in general, and to persuade the king to erect a high commission court. Charles certainly did constitute such a court, for which he had the example of his father and his grandfather, although it had never been popular or productive of good; but there is no other evidence that the primate suggested it than the malignant insinuations of Burnet and Wodrow. This court removed all ecclesiastical affairs from the privy council, and, in fact, its powers were independent and inquisitorial. Its members were authorised "to take cognizance of and to punish all offenders, who went about *corrupting and disaffecting people from their allegiance, and obedience to the laws*, and all who expressed their dissatisfaction to his majesty's authority, by contravening acts of parliament or council in relation to church affairs." The members consisted of a great number of prelates, clergy, nobility, magistrates, and military officers, of whom five were a quorum, an archbishop or bishop being always one of the quorum, and all officers in the kingdom, both civil and military, were to obey their orders. This commission was to endure only till the first of November of the present year, and after that until it should be discharged by his majesty; and it was appointed to meet for the first time on the first Wednesday of March. Lauderdale was opposed to the erection of this court; but eventually acceded to it. Burnet says, "I took the liberty, though then *too young* to meddle in things of that kind, to expostulate very freely with Lauderdale. [He was then of the mature age of twenty-one.] I thought he was acting the earl of Traquair's part, giving way to all the follies of the bishops on design to ruin them. He upon that ran out into a great deal of freedom with me: told me many passages of Sharp's past life: he was persuaded he would ruin all: but he said he was resolved to give him line, for he had not credit enough to stop him, nor would he oppose any thing that he proposed, unless it were very extravagant: he saw the earl of Glencairn and he would be in a perpetual war, and it was *indifferent* to him how matters might go between them: things would run to a height, and then the king would of himself put a stop to their career: for the king said often, he was not prieststridden: he would not venture a war, nor travel again for any party. This was all I could obtain from the earl of Lauderdale;" and enough too, *if it had been true*. Burnet's vanity prevented

his discovering that Lauderdale must have been playing upon his credulity, else his indiscretion, to "run out" so incautiously to a youth, unfitted him for his place, whose vanity might at any time induce him to communicate the whole of this conversation to his political enemies, as well as to the principal party himself. Burnet professes that he was *too young* to address Lauderdale on affairs of state; but so inflated was he with the minister's simulated confidential communication, that he considered himself old enough and entitled to catechise and instruct the primate; "I *pressed* Sharp himself to think of more moderate methods. *But he DESPISED my applications*; and from that time he was very jealous of me¹;" and from that period Burnet bore the primate such an implacable enmity that it tinctures all he has to say respecting him in his *Own Times*, and entirely invalidates his evidence in that work.

THE AUTHOR of Naphtali calls this court "a state monster, absurdly confounding ecclesiastical and civil jurisdiction, empowering secular persons to suspend and depose ministers, to excommunicate, and gives power to pretended churchmen and ministers to fine, confine, incarcerate, &c." The parliament at the Restoration only recognised an old act of king James VI., which was enacted in consequence of the system then pursued by the ministers who preached treason from the pulpit, of declining the authority of the king and council. That act asserted the king's authority over all sorts and conditions of men, and made opposers of it liable to the pains of high treason; and Charles's act only re-enacted this law, which was now become more necessary than ever from the turbulence of the presbyterian ministers. Naphtali calls the court "a state monster," and the king a "state anti-christ," "a civil pope," because he would not permit the ministers to play the pope. Bishop Honyman, in answer to these charges, says, "that it is false that the king commits suspension, deposition, excommunication, to mere secular men; there is not one word in the commission of excommunication, (so that herein the apologist lies splendidly), nor is there any word in the commission importing a power given to secular men to suspend or depose ministers; for the commission (as the words bear) doth only empower the persons named, 'to appoint *disorderly* ministers to be censured, with suspension and deposition.' Now sure, it is one thing to appoint a thing *to be done*, and another thing *to do*. . . . Not that they thought that secular men (as this *spiritual* man calls them) could immediately execute and do

¹ *Own Times*, i 375-6.

such things; yet *they appoint* the things to be done by those whose concernment and calling it was to be the immediate doers thereof; and this is no more than any supreme magistrate may do¹." Again, Naphtali incited his party to revolt, by saying "that the practices of this court hath no precedent in the christian world, save that of the Spanish inquisition . . . that it is more than evident, that our oppressions and grievances, by reason of that court alone, do far exceed all the pressures and injuries of the Spanish inquisition, whereupon the United Provinces have justified and approved their *revolt* from the king of Spain²;" which of course meant that the severities which their own turbulence and sedition brought upon the covenanters were a sufficient justification for them to revolt.

IN FORMER TIMES the archbishops of St. Andrews always had the precedence of all the nobility and officers of state; but during the rebellion, their privileges were wholly extirpated, and after the Restoration they had been overlooked. Charles therefore was pleased of his own accord, and without any solicitation, to restore the archbishop to his proper place by his letters-patent; and he was directed to take precedence of the lord chancellor and all other subjects at the privy council, and in all public meetings and processions³. The primate's calumniators do not agree respecting the spring and source of this renewal of his precedence. Burnet boldly asserts that the primate solicited the precedence; and says, he "moved that a letter might be writ, giving him the precedence of the lord chancellor. This was thought an inexcusable piece

¹ A Survey of the insolent and infamous libel, entitled NAPHTALI &c., by Andrew Honyman, bishop of Orkney; 1678.

² Naphtali, or the Wrestlings of the Church of Scotland for the Kingdom of Christ, pp. 184, 187.

³ The following is a copy of the king's letter:—"Whereas our royal father, of blessed memory, by his letter dated at Wanstead, 12th July, 1636, did signify to his privy council, that having considered, according to the custom of all civil and christian kingdoms, what place and dignity is due unto the church, the precedence of whose chief ruler should procure more respect thereunto; to the end that the archbishop of St. Andrews, primate and metropolitan of that our kingdom, may enjoy the privileges belonging to his place, we were pleased to name him first in the commission of our secret council: and our pleasure is, that he have the first place both at our council and at all other public meetings, before our chancellor and all other our subjects within that our kingdom; as one from the eminency of whose place we will have none in any way to derogate: [but shall ever contribute what we can] for the advancement thereof, in so far as is lawful and expedient. And we being also desirous to maintain the honour of the church and that dignity in the person of the archbishop of St. Andrews, and his successors, have thought fit to renew our blessed father's command, and to the end it may be punctually observed, we command you to register this our letter in the books of our council, and so we bid you heartily farewell. Given, &c., 16th January, 1664."

of vanity¹;" but Wodrow, on the other hand, maliciously insinuates that it was a carrying out of Lauderdale's threat of striking episcopacy under the fifth rib—that is, for the purpose of entirely ruining it. He says, "that Lauderdale, *in order to bring hatred on the bishops*, procured a letter from the king, ordering that the archbishop of St. Andrews should take place of all the officers of state, even the chancellor himself, that thus, as the letter bore, the king might show such thankfulness to God for his restoration, by putting such honour on the first order of the church²." Lord Fountainhall says, that "archbishop Sharp had such a letter, but never made use of it³." The chancellor was much mortified at the precedence given to the primate, and was prepared to dispute it; but he did not survive the diminution of his rank many months.

IN THE DIOCESES of Glasgow and Galloway the presbyterians were very turbulent and seditious, and it was found to be a necessary precaution to send sir James Turner and a few soldiers into Dumfries and Kirkcudbright, to maintain order, and to prevent their "drawing to a head," to which they were well inclined of themselves; but they were strongly incited by Welsh and Semple, two itinerant preachers, or "fiery ministers," as Burnet calls them. Sir James was ordered to billet his men at free quarters on the inhabitants, which of course would produce much irritation and many quarrels, and drive the insolent soldiery to the commission of much oppression, of which they are loudly accused. Sir James was authorised to receive and transmit informations, and to levy fines without any legal process. The privy council sent him a letter of thanks for his care and pains in reducing the disaffected districts to quietness, and protecting the clergy from the malicious persecution of the covenanters. From obvious causes Turner has been severely criticised by presbyterian authors, and if a dog once gets an ill name, it is not easy to remove it; but the school in which he had been bred was not likely to improve either his manners or his morals. A most devoted republican and dissenter in principle, gives him the following character:—"This sir James was a tool to their minds, a stranger in the country, being an Englishman; bred to plunder and rapine in the service of the French, perfectly void of the fear of God and man, and unacquainted either with reli-

¹ Own Times, i. 301.

² Analecta, i. p. 27.

³ Fountainhall's Decisions, i. p. 184, cited by Kirkpatrick Sharp, Esq.; note to Kirkton's History, p. 20.

gion or humanity¹." It is an easy matter, in these general terms, to heap obloquy upon a public servant, who was appointed to perform a disagreeable service; but De Foe has forgotten to add the Solemn League and Covenant to the school in which he was taught his inhumanity, where he was set the example of massacring prisoners in cold blood after quarter given; an example which not even the prejudiced Wodrow, nor his follower Hetherington, have ventured to say he followed².

THE PRIMATE returned from court about the beginning of April, and on the 16th the Court of High Commission met for the first time. Among their first acts was one which condemned Mr. James Wood's (late professor of divinity in St. Andrews) book, respecting church government, to be burned by the hands of the common hangman. Wodrow attempts to get up a number of cases of oppression against this Court, and particularly against the bishops; but they appear to be overstrained, and the answers of the parties tried have all the appearance of straining for effect. In short, the dogged and turbulent spirit of presbytery appeared most conspicuous in those parties whom it was found necessary to summon into this court, whom neither mildness nor severity could subdue, or even mollify; for, as Baillie justly said, "it was in vain to dream of peace with these men." On the 22d of this month the privy council issued proclamations for the recal of Buchanan's book *De jure regni apud Scotos*, and for discharging the collection and distribution of money to dissenting and disaffected ministers.

ON EASTER-DAY, the 10th of April of this year, the rev. Patrick Scougal, parson of Salton, and the venerable Andrew Honyman, archdeacon of St. Andrews, were consecrated, most probably by the primate at St. Andrews. The former was the son of sir John Scougal, of that ilk. He was first placed at Dairsie, in Fife, in the year 1636, and consequently had received episcopal ordination; thence he was removed to Leuchars in 1645, where Henderson, of Covenant memory, was minister before him; and he next got the living of Saltoun, in the county and presbytery of Haddington. Keith says, he was a man of great worth; and Baillie calls him "a good and noble scholar;" and even the slanderous Wodrow admits that he "was reckoned among the devoutest of that order³." It had been designed to have placed him as professor of divinity

¹ De Foe's *Memoirs of the Church of Scotland*, 1717, p. 160.

² Vide *ante*, Chap. xx. pp. 158, 181, 182.

³ Wodrow, i. p. 416.

in St. Andrews, in the year 1658, but through his own and Mr. Sharp's "lingering, Gillespie, at Rutherford's desire, gets secretly the protector's hand to one Mr. Alexander Jamieson¹." And bishop Burnet says of this worthy prelate, "I may be allowed to say somewhat; with whom the see of Aberdeen was as happy in this age as it was in his worthy predecessor [bishop Patrick] Forbes [of Corse] in the last; both in the number of the years, for he sat seventeen years in that chair, and in the rare qualities that dignified them both almost equally. He also saw his son fill the divinity chair as the other had done; but here was the fatal difference—that he only lived long enough to raise the greatest expectation that I ever knew upon any of that nation of his standing; for when all hoped to see in him a second Dr. Forbes, or, to bring it nearer home, another bishop Scougal, for that was his father's name, he died very young [he was the author of an excellent work, 'The Life of God in the Soul of Man']. The endearing gentleness of the father [bishop Scougal] to all that differed from him, his great strictness in giving [holy] orders, his most unaffected humility, and contempt of the world, were things so singular in him, that they deserved to be much more admired than his other talents, which were also extraordinary; a wonderful strength of judgment, a dexterity in the conduct of affairs, which he employed chiefly in the making up of differences, and a discretion in his whole deportment; for he had a way of familiarity by which he gave everybody all sorts of freedom with him, and in which, at the same time, he inspired them with a veneration for him, and by that he gained so much on their affections, that he was considered as the common father of his whole diocese, and the dissenters themselves seemed to esteem him no less than the conformists did. He took great pleasure in discoursing often with young divines, and set himself to frame in them right and generous notions of the christian religion and of the pastoral care; so that a set of men grew up under his labours that carry still on them characters of his spirit and temper².

BY AN ACT of "transportabilitie" Mr. Andrew Honyman was made colleague to Mr. Robert Blair, in St. Andrews, in the year 1643, by the presbytery of that city³. In April, 1652, Baillie wrote to Mr. Honyman, to do his utmost to prevent some overtures for an union with the remonstrators from taking effect, and "obtesting him to guard against this assault."

¹ Baillie's Letters, iii. 365, and note.

² Preface to Burnet's Life of Bishop Bedell.

³ Baillie's Letters, ii. 49.

"Because," he afterwards said, "*it is in vain to dream of peace with these men!* They mind nought but to set themselves up, and to cast out and hold out all they can, and fill all places with their proselytes¹." He desires Mr. Honyman's judgment respecting these overtures; but it does not appear that any reply had been given. Bishop Scougal was placed in the see of Aberdeen, and bishop Honyman in that of the Orkneys. On the death of archbishop Fairfoul, Alexander Burnet, bishop of Aberdeen, was translated to Glasgow in the month of January², and on the 29th of April the archbishop was sworn of his majesty's privy council, along with the earl of Argyle.

HIS MAJESTY'S birth-day happened on the high festival of Whitsunday, "a remarkable day; whereon was made, in every kirk of Edinburgh, three several sermons that day, in commemoration of the Pentecost, wherein the Holy Spirit was sent down upon Christ's apostles; this day, wherein the solemnity was used for the king's birth, was the full moon, even at the very solemnity, after four hours in the afternoon; and this day the Lord sent down a gracious rain for nourishing the corns, which were parched with drought a long time before³." Mr. Nicols' artless remarks indisputably prove that the christian festivals were then solemnly observed by the Established Church in Scotland, in the same manner as other christian churches celebrate them. He is an unexceptionable witness, for he had no party to serve either way by recording these simple facts.

THE EARL OF GLENCAIRN, the chancellor, died on the 30th of May, and was buried with great pomp in St. Giles's cathedral, when the archbishop of Glasgow preached a funeral sermon; and Wodrow adds, that the great seal was placed in archbishop Burnet's hands till a successor was named for the deceased earl. The king ordered the primate and the earl of Rothes to repair to court, when the latter was invested with the office of lord chancellor and lord high commissioner⁴; so that he held the three highest offices in the kingdom, besides the command of a troop of Horse Guards. This appointment was satisfactory to the primate, who desired that that dignitary might be "a churchman in heart, though not in habit," and with whom he lived in terms of friendship⁵. Burnet insinuates that the primate desired the seals for himself, but his enmity at the primate is so great for having slighted his unasked advice, and

¹ Baillie's Letters, iii. 183-187.

⁴ Nicol's Diary, p. 421.

² Perceval's Apology, p. 228.

⁵ Burnet's Own Times, i. 380.

³ Nicol's Diary, p. 413.

his inconsistencies are so numerous, that he omits no opportunity of misrepresenting the archbishop; and yet he makes him say, that, in the appointment of Rothes, the king "had done all that could be desired of him for the good of the church." The earl of Tweeddale was made president of the council, and sir John Nesbit was appointed lord advocate; "and moreover," he adds, "Sharp reckoned this was his *master-piece*;" which is not very probable, if he had felt such keen disappointment as the bishop alleges he did, at missing the seals for himself.

BURNET tells a vile and most improbable story, and falsely accuses the primate of meanness and duplicity, for which he says the king despised him; but notwithstanding, he represents the primate as standing so high in the king's favour and confidence as to procure the appointment of his own friend to be chancellor, and even to draw the instructions by which the high commissioner was to be governed; and moreover, that Lauderdale, whom he represented a few lines before as having bullied and insulted the primate, now dared not oppose him in any thing! So malicious, so mendacious, and so inconsistent, are bishop Burnet's accounts of his own times.

ON THE 4th of July the primate wrote to archbishop Sheldon, complaining that the conduct of the commissioners for ecclesiastical affairs was more calculated to irritate and promote resistance on the part of the disaffected presbyterians, than to reduce them to a state of tranquillity; and he says, "that in *all the dioceses* of this church we have not above *one score* of ministers, or *two hundred* men or women, who do withdraw obedience to us and the laws. It is only in the dioceses of Glasgow and Galloway, where schism and opposition to us is owned, which, if connived at, and not timeously suppressed, will soon spread its contagion to the leavening of the clergy and laity in other places, and the overturning of all which hath been done since his majesty's restitution, for reducing this unhappy church and kingdom to their duty to God and the king; and thus irreligion, turbulency, and sedition, will break in upon us. I can appeal to the consciences of all who know the temper of these people, whether hope of connivance and impunity, and the interest of a faction long accustomed to submit to nothing but what themselves do conceit, doth not *more influence* into the present distempers *than any religious regard* to presbytery, or aversion from episcopacy, without which it is impossible to keep the king's authority with these people¹."

¹ Editor's note to Burnet's Own Times, i. 376.—Vide Baillie's Letters, iii. 187.

THE NUMBER of presbyterian ministers who deserted their livings in consequence of the Glasgow act has been exaggerated to upwards of four hundred, which would be very nearly the one-half of all the parish ministers in the kingdom. The most palpable contradiction to this absurdity is in the number of depositions which occurred for several years afterwards, Wodrow himself being the evidence, who names no less than seven in one page who were deposed this year by archbishop Burnet, at the instance of his diocesan synod. These were, Guthrie at Fenwick, Livingstone at Biggar, Mackail at Bothwell, Maxwell at Dundonald, Cunningham at Dunlop, Hutcheson and Castlelaw at Stewartown. From the pugnacious spirit of the presbyterian ministers and their flocks, it was necessary to employ military in the performance of these ejectments, and of course this circumstance is loudly proclaimed as an aggravation of a penalty which their own resistance to authority, and seditious preaching, had brought upon them. The intimation of suspension to Mr. Guthrie and the others, narrated, "that the archbishop and committee, after much lenity shown to him for a long time, were constrained to pass the sentence of suspension against him, for *not keeping* of presbyteries and synods with his brethren, and *his unpeacableness* in the church¹."

BISHOP HALIBURTON, of Dunkeld, also was obliged to carry into effect the sentence of his diocesan synod against Mr. Donaldson, the presbyterian minister of Dalgety, in the presbytery of Dunfermline, who had intruded into that parish in the year 1644, and had only presbyterian admission. He had been regularly summoned to attend the presbytery meetings, and the bishop had repeatedly written to him, requiring his presence under pain of suspension; "which Mr. Donaldson did not regard, but continued at his work till the diocesan meeting in October, when the bishop deposed him" by the following letter :—

"SIR,—These five synods past your brethren of the synod of Dunkeld have waited upon your presence to have concurred with them in all ministerial duties that relate to discipline, according to the strict acts of parliament and council enjoining the same, and the acts of your synod requiring your presence and enjoining your keeping of session, presbytery, and synod. Notwithstanding you have still seditiously contemned the laws of the state, in not keeping your synod; though you knew the ordinary diets as well as others; and against the law

¹ Wodrow's History, i. 406-7.

and practice of the church and your peaceable brethren, have still schismatically divided yourself from your brethren in session, presbytery, and synods: and well considering their own patience and slowness to proceed against you, having formerly suspended you, and yet unwilling even to intimate that, causing it only to come to your ear, hoping that their kindly forbearance should in end gain your submission to an union with them; yet still meeting with nothing from you but obstinate and ungrateful continuance in your schismatic way, they unanimously, at the last meeting of the synod, holden at Dunkeld the 4th October, 1664, did think and vote you worthy of deposition from your ministerial function. Like as I did in the name and by the authority of Jesus Christ, and in the name and with the consent of all my brethren, actually at that time depose you; which I now do declare you, Mr. Andrew Donaldson, sometime minister at Dalgety, deposed from all charge, not only there, but from all the parts of ministerial function within my diocese, or the kirk of Scotland: assuring you, if you shall insist on that charge, either at Dalgety or elsewhere, after you shall be acquainted with this sentence, that immediately, with the consent of my synod, we will proceed against you with the highest censure of this kirk. In verification of all the premises, I have subscribed them and sent them express to you for your warning, that you may not pretend ignorance, but may yield obedience, and not contravene.—Perth, 10th October, 1664.

“GEORGE DUNKELD¹.”

DONALDSON had been maintained in his parish by the earl of Dunfermline, in spite of the bishop and his synod, by that powerful patriarchal authority which the Scottish nobility possessed, and which frequently enabled them to set the laws at defiance. As soon as his lordship heard of this deposition, he applied to the king, without communicating the particulars of the case, and obtained a royal warrant to repon Donaldson to the living during life. This was a stretch of erastianism which operated most perniciously against the peace of the church, as it encouraged the presbyterian ministers in their obstinacy and independence. However, the primate outmanœuvred his lordship at his own practice; for he got the time postponed for some weeks, and in the interim represented the case to his majesty in its proper character, and obtained a warrant, under the king's own hand, “discharging all outed ministers to come back to their charges².” The numbers that

¹ Wodrow's History, i. 409-10.

² Ibid. 410.

were individually deposed at different times shew that the Glasgow act was not carried into rigorous effect till the turbulence and disobedience of the presbyterian ministers, who continued in their churches, and would yield no obedience to their bishops, compelled their own brethren in their synods to depose them; and it appears that the bishops never acted in these cases on their own sole authority, but only ratified and executed the sentences of their synods.

ANOTHER INSTANCE of deposition occurred in the presbytery of Ayr. Robert Maxwell had been suspended on the 18th February, by his presbytery, after repeated warnings and personal conferences with deputations that had been sent to persuade him to attend at the meetings of the presbytery; but finding that "he continues obstinate in refusing to join with the rest of his brethren in the presbytery and synod for the exercise of discipline . . . shewing them positively that he is fully resolved not to submit; as likewise that he confessed he had married other persons in other parishes, without testimonials from their several ministers:" in consequence, therefore, of his obstinate disobedience to his immediate presbytery, they cited him to appear before the archbishop and synod at Glasgow in October, where he again refused to appear, and the synod then formally deposed him from the exercise of the ministry in the parish of Monkton, which was ratified and put in execution by the archbishop. This man is set down by Wodrow as a sufferer "for mere refusing to subject to the bishop, by power from whom their presbyteries and synods met¹;" but the contrast is great here between the patient endeavours to reason and convince this man, and persuade him to keep his preferment, and the violent, sudden, and tumultuous manner in which the episcopal clergy had been dispossessed by the remonstrators. Wodrow finds the greatest difficulty in making up cases of suffering, and those which he produces are generally for sedition, or some other breaches of the law; and because these are prosecuted for crimes against the state they are described as martyrs and confessors—an honour that might, with equal truth and justice, be conferred on the objects of every gaol delivery in the united kingdom. We have now met with ten depositions in the presbyterian districts, and more will appear, which shew how much the effects of the Glasgow act have been exaggerated, in order to get up a case of persecution against the church.

THE SPIRIT of presbytery had not been altogether exorcised

¹ Wodrow, i. 411.

in the diocese of St. Andrews, and the diocesan synod found it necessary to proceed against five of the brethren, who, like those already mentioned, refused to attend the presbyterial and synodical meetings of their diocese. The decision of the synod having been brought before the primate, he wrote the following letter to the moderator, dated "Abbey, 28th December, 1664:—Reverend Brother,—Whereas we find that Messrs. James M'Gill, Robert Weems, David Guthrie, Robert Bennett, and Alexander Wedderburn, do *obstinately persist* in their way of *separation* from their brethren, and *contempt of authority* and *disobedience to the laws*, to the great prejudice of the gospel and scandal of the ordinary ministers thereof; therefore we shall desire you to make intimation to each of them, that if they do not appear at the next meeting of the brethren of the exercise, which is to be holden at St. Andrews on the 11th day of January next, and there declare that they are resolved thenceforth to concur with their brethren in the exercise of the word and discipline, and accordingly give their assistance, as the law doth require, in all ecclesiastical meetings for suppressing sin and edification of the church of Christ in godliness and unity, they are to expect that, after all christian means used for their reclaiming, we will forbear no longer to cause execution of the sentence of the diocesan synod against them. We commend you and the brethren to the spirit and grace of Jesus Christ, in whom I am, your loving brother, St. Andrews¹."

DR. HALLIBURTON, bishop of Dunkeld, died in the end of this year, and Henry Guthry, author of the *Memoirs of Scottish Affairs*, was presented to this see. He was deposed by a riding committee of the kirk, in November 1648, on account of his moderation and so-called malignancy in the violent politics of the period, and for having given some opposition in the assembly to the proceedings of the presbyterian faction which then ruled the civil and ecclesiastical affairs of the kingdom. He was first domestic chaplain to the earl of Mar, and was afterwards received as minister of Stirling, though with only presbyterian admission: at the Restoration he was "put into the ministry;" that is, he was canonically ordained, and restored to his former charge. Keith does not mention the date or place of his consecration, nor who were his consecrators; but as the above letter shews that the primate was then at St. Andrews, it is to be supposed that the

¹ Records of the Presbytery of St. Andrews, cited by the Rev. C. J. Lyon, in his interesting and useful *History of St. Andrews*, vol. ii. 89, 90.

rite took place at that city, and that archbishop Sharp was the consecrator¹.

1665.—IT BECAME necessary to prohibit the sale of the speech which Johnston of Warriston had delivered on the scaffold, which had the effect of irritating the minds of the people and withdrawing their affections from the church. Early this year a general fast was proclaimed to be observed, in consequence of the declaration of war with Holland; and as one of many proofs that the western presbyterians had not deserted in such large numbers as was alleged, Wodrow admits “that I find none of the few remaining presbyterian ministers *who kept their churches* had any difficulty to keep this fast appointed by the council².” But they cunningly added their own grievances to other causes for this fast, and which one of the ministers summed up into one sentence—“the contempt of the glorious gospel,” as preached by them. Their system of the gospel, however, induced them to enter into secret correspondence with the Dutch, with whom the king was at war; as a necessary measure of precaution, therefore, the privy council directed sir James Turner to disarm the presbyterians, to prevent their “drawing to a head,” according to their laudable custom and principles, in order to embarrass the government. This is of course produced among the “sufferings” of that loyal body; but it would have shown great folly and remissness in the government, if they had not disarmed men who knew so well how to employ their arms, and who were meditating a diversion in favour of the king’s enemies. Wodrow discovered another source of suffering and martyrology, in the appointment of all students and others, on their taking university degrees, to take the oath of allegiance and supremacy, which could only affect the episcopalians; for the presbyterian youth now seldom attended the universities, or took degrees. Hugh Peebles, presbyterian minister of Lochwinnoch, in Renfrewshire, was deposed by the court of high commission, and banished to Forfar, for continuing that disobedience to the laws which was common to his brethren; and in April the five presbyterian brethren were deposed, respecting whom archbishop Sharp wrote to the presbytery of St. Andrews, for contumacy and rebellion. In September an order came from Lauderdale, at London, to lord Rothes, to imprison several gentlemen who were suspected; and of course Wodrow immediately accuses the bishops as being both the authors and the executors of this

¹ Keith’s Catalogue of Scottish Bishops, p. 98.—Perceval’s Apology, No. 17.

² History, i. 421.

measure, and adds that their ruin was determined on because the bishops coveted their estates ! These malignant insinuations, of course, have hitherto met with most devout belief, and the memories of these prelates have suffered under this injustice. He misses no opportunity of propagating his malignity, and he seized that of a proclamation about the fines to blacken the bishops :—" The king and some of the managers were willing enough to have waived this matter of the fines, *but the prelates* and others of them had no mind to part with so fat a morsel¹." In a letter to the earl of Kincardine, in reply to one in which his lordship had insinuated that these commitments were at the instigation of the bishops, the primate indignantly repels it, and says, " If this gird in the close of your lordship's letter has any oblique aspect upon the late commitment of some persons, which I hear is by some charged, *but most unjustly, upon those of my order*, you best can tell²."

On the 2nd of August a convention of the estates was held, to raise money for the support of the Dutch war, and the archbishop of St. Andrews presided in it ; when a tax of a million of merks was voted, and which might amount to about £55,208 6s. 8d. of the present money. Mr. Salmon, in his remarks upon Burnet's Own Times, says :—" Having observed with what malice Dr. Burnet speaks of the court and the bishops of Scotland, that his behaviour may in some respects appear uniform, he proceeds to abuse and revile the parliament. They passed whatever acts were proposed," he says, " without examination, and made the king as arbitrary as he pleased ;" and adds, " that they *were a furious set of people* : and now I think our author may be said to have completed the character of his own countrymen. The court [he says] were all drunk and mad ; the bishops and clergy remiss in all parts of their function, and violent persecutors of good men, and the parliament were ready to sacrifice all their liberties and properties to the prince ; and if king Charles had had that fondness for absolute power that our author every where suggests, it is very strange he did not lay hold of so fair an opportunity of effecting his designs. The impartial world will certainly conclude from hence, that Dr. Burnet must have grossly misrepresented either his prince or his country, and very probably both³."

" After all," says Mr. Guthrie, " it is reasonable to think that some correspondence was kept up between the presby-

¹ Wodrow's History, i. 426. ² Vide the whole letter, cited *post*, in nct.

³ Salmon's Examination of Burnet's History of his Own Times, i. p. 561.

terians and their friends, who had either been banished or had retired to Holland, which might have been dangerous to the government. To prevent any consequences of this kind, the commissioner this year made a most pompous progress through all the chief towns of the west, attended by the king's guards; and upon his return, fresh severities, as appears by the council books, were inflicted on the dissident presbyterian clergy¹. "The government of Scotland, as to civil matters, was very easy. All were quiet and obedient. *But* all those counties that lie towards the west became very *fierce and intractable*: and the whole work of the council was to deal with them and to subdue them²." Instigated by the *fierce* and *intractable* ministers, the people raised a mighty outcry against the episcopal clergy, as "dumb dogs that could not bark,"—"immoral, stupid, and ignorant;" and the presbyterians generally forsook their churches, and treated them with great contempt, rudeness, and even personal violence. In a letter dated the 22d May, to archbishop Sheldon, archbishop Burnet complains of the ill usage of his clergy by the presbyterians, and which placed their lives in considerable jeopardy:—"I hope," he says, "your grace and others will allow me some more charity when you hear how handsomely they begin to *stone* [episcopal] ministers, even at the gates of Edinburgh." Burnet says that the tenants of those gentlemen whom Lauderdale ordered to be arrested, and their friends, laid his arbitrary proceedings to the charge of the clergy, which made the presbyterians more bitter and malignant against them, and more violent in personal outrages. By this time, says Wodrow, "many of the old presbyterian ministers, who had seen the *glory of the former temple*, were got to their rest³." The same obstinate refusal to recognize their bishop's authority, or to unite with their brethren in presbyteries or synods, forced the synod of Glasgow to depose Matthew Ramsay, minister of Kilpatrick Wester, and Robert Mitchel of Luss, both in the presbytery of Dunbarton and diocese of Glasgow: both sentences were ratified and carried into effect by the archbishop. Of the former, Wodrow says he was "a person of the most shining piety, stayed gravity, of the greatest eminency of gifts, extraordinary sweetness of temper, and of a most peaceable behaviour;" and the latter, "of most eminent ministerial qualifications." But, under favour of Wodrow's editor, and other admirers, their shining piety and eminent gifts were mightily

¹ General History, x. 118.² Burnet's Own Times, i. 382.³ Wodrow's History, i. 427.

obscured, if not entirely obliterated, by that disobedience to their fathers in Christ which was the fundamental principle of their conduct; and which bore some resemblance to that spirit of pride and disobedience which our blessed Lord rebuked by setting a child in the midst, and saying, "except ye be converted [from pride, ambition, and disobedience, to humility and obedience], *ye shall not enter into the kingdom of heaven.*"

BISHOP LEIGHTON went to court, and laid what Burnet calls a true account of the proceedings in Scotland before the king, and solicited permission to resign his bishoprick, but which the king would not grant. A faithful servant, who has once put his hand to the plough, must not look back, and wish, for the sake of personal ease, to escape responsibility. Leighton was a complete ascetic, but a well-meaning man. It is said he visited his diocese every year, preaching and catechising in every parish, and studied to raise a high sense of spiritual matters in the clergy; and "even the presbyterians were much mollified, if not quite overcome, by his mild and heavenly course of life." Burnet ascribes it to his advice, that the king recalled the high commission, and abolished that unpopular court. Naphtali asserts, in an impassioned strain, that the tyranny of this court would have justified the presbyterians in revolting, even more than the cruelty of the Spaniards excused the revolution in the Netherlands; but bishop Honynman shews that the whole extent of the tyranny of this court, during the two years of its existence, was—"four rustics were stigmatised and scourged for invading [assaulting] the person of an orthodox minister following his calling; two companions, for their high misdemeanors, were appointed to be transported to Barbadoes, an island within his majesty's dominions; a furious man, whose fashions are disrelished by such as seem to be for presbytery as well as others, is confined to Shetland; one man and a woman appointed, for their misdemeanors, to be scourged: this is all he can say, *albeit being guided by a lying spirit.* He asserts these to be but a few instances of many particulars of this kind, &c. Whereas there are few or no more instances than he hath named: and shall all this amount to a clearer justification of a revolt from the king, than the Netherlands had to revolt from the king of Spain? Cursed be this man's anger, for it is fierce; and his wrath, for it is cruel:—'O, my soul, come not into his secret¹.'"

THE PRIVY COUNCIL issued a proclamation, declaring that,

¹ Survey of Naphtali, p. 38.

after long and tender forbearance, it was found necessary that their former acts, 28d December 1662, and 15th August 1663, be extended to all other ministers who entered in before the year 1649, and have relinquished their ministry, and been deposed by their ordinary remove themselves and families out of their respective parishes within forty days, and not to reside within twenty miles of the same, or within six miles of Edinburgh or any cathedral church, or two of them to reside within one parish¹. The council also issued a proclamation against conventicles, which were found to be meetings for *sedition* purposes. A presbyterian writer admits that at this time the people in the west country willingly attended their parish churches: "*truly* at this time the curates' auditories *were reasonably throng*; the *body of the people* in most places of Scotland waited upon their preachings: but their pride vowed that they would be more glorious and better followed than the presbyterians; and because respect would not do it, force should²."

THE PRESBYTERIANS made a riot or "mutinie" at the west kirk of Edinburgh, and prevented Mr. Gordon, one of the clergymen, from entering his own church; they upbraided him, in the most opprobrious language, with maintaining the religious observation of the christian festivals, and accused him of being the cause of the deposition of the notorious Williamson. They barricaded the doors of the church, and prevented his entrance, and the public worship was suspended. Many were apprehended, and a man and a woman, who were the ringleaders, were scourged by order of the privy council. Wodrow delicately shuts up this disgraceful affair by saying, "No more about this hath come to my hand;" and we may safely conclude that other and deeper designs were meditated in this "mutinie" than he chooses to disclose; otherwise, if it had been at all plausibly defensible, he would have enrolled the parties who were scourged, in his Martyrology, as "sufferers" for the covenant³; but which he has not.

THE CHURCH of Scotland was at this time surrounded with difficulties, arising out of the evil spirit which had been engendered by the covenant, and by the pride of the nobility. An instance of this pride appeared this year, in the countenance given by the earl of Kincardine to some disaffected presby-

¹ Wodrow, i. 429, 30.

² Kirkton's History, p. 221.

³ Nicol's Diary, p. 433.—Wodrow, i. 422.

terian ministers, who, under pretence of celebrating a communion, or an *Occasion* as they called it, had collected a number of people, who were guilty of sedition, and which was a breach of the law that forbade all such assemblages of the people. Some correspondence in consequence had taken place between the primate and his lordship, in which the latter had expressed some of those calumnies on the archbishop which were common in the mouths of his enemies; but to which he gives a flat denial, and tells his lordship that he had not stained his own character or that of his order with any base action. And further he says, "I can, through the goodness of God, *bid defiance* to all who have an ill eye to me, to charge me *justly* with any disingenuous unworthy act." This letter also shews what were archbishop Sharp's sentiments on the subject of episcopacy, and which he held as a *divine* institution, and not as a matter of expediency. The whole letter is added below, and is worthy of perusal¹ :—

¹ MS. A. 4. Copy of an original letter, among the papers in the episcopal chest, Aberdeen, said to be in the primate's own handwriting, cited in the author's *Life and Times of Archbishop Sharp*, p. 307-318. "My Lord,—Your last tells me that your first is no accusation, but a private expostulation, not intended to be seen by any other, unless urged to it. I think I may be allowed to say, who have read it, that it brings very foul accusations of me, in what you cannot prove: and had it been addressed to the meanest stipendiary minister about you, it might have justly caused a greater resentment of its contemptuous insinuations, and demanding a public reparation, than I have yet expressed. I know well, my lord, that you are a peer and privy councillor of the kingdom; and do accordingly pay you all due honour. But, I suppose, had the most ancient peer and greatest privy councillor treated as you have done, with a freedom, which you may say is beyond ordinary, one, who, besides that he is a christian bishop, by as authentic a derivation as any else, is, by the munificence of the king and constitution of this christian kingdom, invested with that place amongst the peers and privy councillors, and which was ever given to my predecessors, they would, I think, upon calm composure, have judged it to be scarce conform to the honour and civility of their peerage and trust, to charge me, upon so slender an occasion, with prevarication, breach of promise, ingratitude, sinister dealing, and very plain insinuations of other unworthy qualities, which did ill become any person of judgment, education, and condition, much less the character I bear, *which I have not stained with any base action*; you are pleased, without if or and, to charge me with doing injuries to your lordship, long before you were suspecting it off my hand; that I have given bad impressions of you to the king; represented you as disloyal; and that after all the familiarity, knowledge, and proofs I had of you, that I have accused your lordship, and that no less than to his majesty. You appeal to the great God to judge of the wrong I knowingly have done you; and from this you infer by a (figure) which I might reasonably conceive you would have me notice, as carrying with it a menace, that those in my station do dare attempt the abusing of the king, and accusing men of that they do not know. If this gird in the close of your lordship's letter have any oblique aspect upon the late commitment of some persons, which, I hear, is by some charged, *but need*

1666.—AMONG THE MANUSCRIPTS in the episcopal chest at Aberdeen, there is a letter from the earl of Lauderdale to the

unjustly, upon those of my order, you best can tell. But since your lordship is pleased to declare, that you have no thought to fix that upon my station, but that the scope of your letter speaks of it with that respect you ought, I shall not debate upon the obvious logical construction it bears to any who reads it; but by the strain of the whole, I have cause to say, that I think more respect is due to my station and my person, so long as I am in it, than the giving of a verbal compliment of titles, when the strain and scope of the whole does charge me with criminations, which to God and my conscience are known to be false, and no man alive can make out. It will be hard to persuade me, that such usage from your lordship, and that gloss you put upon the general assertion, in the close of your letter, is for the honour of my place, in which, without boasting, I may say, I have done service to the church, to the king, to my country, and to the protestant religion, by my endeavouring to suppress that spirit of sedition, disorder, and separation, which has acted so much and long, and your lordship does own is still binding, to act to the prejudice of the rights of the crown, the honour and interest of this kingdom, and the repute and power of religion.

“ I have been reflecting upon all the passages of my speaking or acting in reference to your lordship, and cannot charge myself with any one injurious. I remember, above a twelvemonth ago, I spoke to a minister by whom you had an intimation of what came to my ears of the general sense people had of your way as to the peace of the church in those parts where your interest doth lie, and you may remember you often spoke to me of it, as that you took it in good part as an act of friendship which thereby was intended. I can say it in truth, I did not after open my mouth to any person of that matter, save that when the rumour went abroad, that when you and your friends were observed not to be very zealous in discountenancing and suppressing the disorderly and disaffected, who were known to be more extravagant and insolent in those places than in any else on this side of Forth, and that your lordship gave small countenance and encouragement to the orderly and obedient to the laws, in which I believe his majesty conceives his service to be concerned; I told I could not believe it, having received full professions from your lordship of the contrary. I am not conscious of any thing else, which might give any shadow for charging me with doing you ill offices. What can your lordship divine should be my end and inducement; what temptation could I have thus to deal with you? That particular you condescend upon, my bringing to his majesty's ears, as a crime with aggravating circumstances your being at the communion of Tulliallan, I do deny, and no man upon knowledge can assert it as truth. I heard many weeks ago that you had been informed that at court your being present at that communion was noticed and talked of, and if you had suspected me, as I was told you did, you had occasions divers times, in the abbey and council-chamber, to have asked me of it; but your having deferred it till now, I know not upon what design, I shall give you the account of it ingenuously, which I would have done then, though the way you have taken in challenging me does not oblige me to it.

“ When the scandal of that disorderly communion was notified to the commission, the lords present, amongst whom were the president of the session, and two more of the judges of that bench, found, upon confession of the minister, that it was not according to law, I told my lord commissioner I was sure that your lordship being a privy councillor, by your presence should have countenanced such a meeting, which if I had complained of at the council table, I was told, it could not but be noticed as of very bad example and of great offence, that the communions given by orderly ministers should be abandoned when occasions were often given of them, and factious people encouraged to gad after the communions of the disorderly, which are set up as banners of separation, and especially that communion administered by a person notorious [notorious] for his prevarication and constant declaiming, these three years past, in prayer and preaching, against the

primate, dated the 30th of January, in which he promises that those only shall be preferred to any vacant see who shall

government and public administrations, of which your lordship may remember you told me you had so heard and taken notice, as at your coming thither you did speak to him to abstain from offensive expressions, and you, hearing of the noise made of the conventions made from several places at that communion, where some declared fugitives were present, you came to my chamber and spoke of it, and heard me express to yourself then my dissatisfaction with your being there. After, when that minister, who had been cited, by his carriage in a more insolent way than any who had been before the commission, had owned all for which he had been delated, as to his seditious principles and practices, so as out of pity we did forbear to put those interrogatories to him which some did move, finding that his humour did prompt him to answers which would have brought upon him the guilt of treason, and though I found he was justly censurable, yet the votes of all then present did over-rule my opinion and desire for forbearing at that time to pass a censure upon him. I gave an account of the commission's procedure that night to a person then at court, who was concerned to know it, and in my letter, to my best remembrance, my expression in reference to your lordship was in these terms, or to this sense, and no other—that I was sure that the E. of Kincardin, being a privy councillor, should, by his presence and communicating, have given countenance to that meeting. If his majesty had notice of this by that information or by another, (which peradventure might be, that communion being noised everywhere in Edinburgh, and in the country), and with what aggravation of circumstances, I had not yet the opportunity to inquire, but may be shall within few days, howbeit, I deny not this I wrote, which was matter of fact and notour at the time. I did nothing thereby unbecoming the character I bear, nor what reasonably could be expected by your lordship from me; I did not thereby abuse the ears of the king, nor give cause for lessening the credit, which in the courts of christian princes is given to those in my station, nor have I faulted that belief which his majesty is graciously pleased to give to me in matters relating to his service in the church. If I had represented that matter with those aggravations immediately to his majesty, that it did ill beseech a person of your quality and trust, publicly and deliberately to countenance the violation of the laws, and the bespattering the proceedings of the state as well as of the church, by that minister's usual praying for those who were banished upon the account of treason, and that in a place where your interest and authority should and can work the causing obedience and respect be paid to authority and the laws, to encourage factious and ill-disposed people by your practice to persist in the way of separation they have hitherto followed, to the prejudice and villifying of those who live orderly and obediently, whose ministry, in word and sacraments, you know divers at that communion do abandon upon that very account; to put a testimony of your respect and liking, than which you could not show a greater, of a factious minister and his scandalous way, who, you knew, did live in professed contempt of authority and the laws, and, though not then under process and censure by a formal judicial proceeding, yet by the sentence of the law, under that guilt and scandal, which should have caused your avoiding to own him with more respect than you did orderly ministers, especially when, by the construction of the law, by the particular injunction of the king to those of his privy council, by the duty of your place and trust you are to give all countenance and assistance to the observation of the laws and encouragement to obedient ministers, and to discountenance and suppress factious ministers and unlawful meetings, which that was found to be by the commission, upon most clear grounds, and owned by the confession of that minister. And in doing hereof, I conceive you do not gratify the interest of some persons now in authority in the church, for whom you may have small value, but you do service to the king and to the public honour and interest of the kingdom, which, as upon other accounts, so in this, is concerned to see to the preservation of the settled order from violation and contempt, that the king's ecclesiastical supremacy, and, in

be recommended by his grace. The system of banishing the irreclaimable presbyterians to the northern parts of the king-

subordination thereunto, episcopal government now restored, by *as solemn and full consent and unanimous vote of the representatives of the kingdom in two sessions of parliament as ever any public act of justice was done since Scotland was a nation.* If I had represented that it is the general observation, and frequent complaints these three years past have been made to me, that in Culroos, and places thereabouts, outed ministers are harboured, admitted to pray and to other exercises in families; that disorderly ministers are treated with all kindness, who are *scandalous for their neglect of discipline* and administering the sacrament of the Lord's body; who preach and pray usually to the *dishonour of the legal government*, and to the leavening and corrupting persons of all sexes and conditions with alienation and prejudice from the public settlement, more than any where in my diocese and places adjacent to it, to the great offence, grief, and disheartening of the peaceable and obedient in vicinity to them. If I had represented that, after I had upon several occasions given notice hereof to the earl of Kincardin, yet nothing hath been done for evidencing his zeal for his majesty's service and the church's peace and preservation from that spreading gangrene of separation, but, on the contrary, a greater growth of disaffection and untowardness is observed in those parts, which it is naturally to be presumed might be easily prevented and obviated by your lordship's endeavours and interest, if you should use them as you ought; let the opinions of people in these matters be what the infusions they have from pragmatic ministers and others can make them, yet sure, subjects living under the protection of the king and his laws may be found in their practice to pay deference to the king's pleasure, and honour of the laws. If I had, I say, represented these aggravations, and other I could mention, I had said nothing for which there was not just cause, or you could in reason complain of, as an ill office done your lordship. I having before told you of what had come to my ears, and particularly of your giving offence by that communion, which you did then and still seem to justify, I had done nothing unbecoming the duty of my place, which, by the appointment of the king and law, and I think by the institution of God, lays upon me the chief inspection and care of the concerns and reputation of the settled religion in that precinct, and of the deportment and carriage of all persons in reference thereunto; but my respect and kindness to your lordship made me forbear, and now I tell you them, that you may know [that] I am not ignorant how the king's authority and the reputation of his ecclesiastic officers and laws are dealt with in that part of the country, and that I cannot look upon the keeping of these factions meetings, the countenancing and owning disorderly ministers in their unwarrantable prayers and preachings and extravagant carriage, the little regarding the quiet and credit of the settled order of the church, as so slight occasions and indifferent matters as some do take them to be. And I hope that since his majesty, as your lordship says, has ordained this form of church government, and by that intrusted us, his bishops, with the keeping of his subjects in peace and obedience, from schisms and factions, in the way proper for our functions, your lordship will not think us such fools, *as when we know, and apparently see, a faction daily emboldening themselves*, some upon pretence of obligations and conscience, others may think it is their interest to condemn the laws, to oppose our office and authority, to bring our persons into contempt, and vilifying, whom yet, through the mercy of God, our adversaries cannot charge with corruption of doctrine, or scandal in life, that we, through timidity or other base respects or credulity to specious professions, will suffer ourselves to be hoodwinked to be unfaithful to the trust put upon us, to the interest which should be dearer to us than our lives, so as to keep silence, or say to the king that it is well with his authority and government ecclesiastical, when alienation from it is fomented, and affronts are daily acted, and no remedy effectually used by those who may and should (if they would) suppress the opposition and spirit, which, if it do not depart

dom began now to produce those fruits of disaffection and turbulence that might have been reasonably expected from it.

from its known principles and practices, must endeavour the ruining of other public concerns, as that of the church.

" My lord, I write thus in a private manner to your lordship, not intending to communicate it to any other, but to let you know I am not of such a prostituted spirit and way as you, by your dealing with me, seem to take me to be; and that I have not given those characters and impressions of you which your way, as to the public concern of the church hitherto, might have given just occasion to: I never did you any ill office. I remember the occasions I have taken to do you good offices before my master the king and other his officers. I profess I have been obliged by your civilities to me of many years, and if I knew wherein I have failed of deserving well of you, I would be a more severe challenger of myself than you can be. You charge me with breach of promise, as to a recommendation of you; I remember none but that [which] I made when you did me the honour to see me last in this place, which that I did accordingly perform, my lord commissioner will do me the right to bear testimony. I am not so silly but I apprehend what low thoughts you have of any favour I am capable of, can signify to you; but I know not the friend who can say I have been wanting to him, when opportunity or power to do a good office hath been offered. You profess loyalty and faithfulness to his majesty, and readiness to serve him against all his enemies, domestic or foreign. Upon the knowledge I have of a long time had of you, I do you the right as to believe you are hearty and real in it, and do crave that you will do me the right to believe, that my place, my principles, my interest, do oblige me to all the sincere service I can make to those who are faithful and zealous for the royal interest, and the rights of the crown; especially of those who by their parts, worth, and public usefulness, can be very instrumental against the many adversaries in this church and the kingdom of that sovereignty, which the law declares to be inherent in Charles II.; in the maintaining and promoting of which, experience proves that no persons are more concerned than those of the nobility. Let the king's ecclesiastic supremacy be owned and asserted by practice as well as by profession, and we of the clergy shall have no cause to complain, nor can we give just cause of grievance to others, seeing the exercise of our power is ordered by the king, and regulated by the laws. My lord, your practices I never accused to any as tainted with disloyalty or dishonour. If the staining of mine be meant by those compliances you mention, you know I have as little cause to be ashamed of my deportment as to the usurpers, and as great reason to bless God for the duty and services I have paid throughout my whole course to the royal interest, as any of my condition within the kingdom. I know what I have been, what through grace I am; I can, through the goodness of God, *bid defiance to all*, who have an ill eye to me, *to charge me justly with any disingenuous, unworthy art*, and in the comfort hereof *I can patiently bear all the smitings of the tongues which Providence shall permit to exercise me by, hoping that all these railings shall be ordered for my good.*

" For your principle, my lord, as to church government, supposing that my employment and way of life hath given me more leisure and opportunity to consider of it than your lordship hath done, I shall tell you that my principles as to the form of government are not as arbitrary as you profess yours to be; and if you had the *same persuasions to the derivation and right of episcopacy which I have*, I know the king would not judge you the worse subject for it, his majesty holding it to be *jure divino*, as his royal father and grandfather did; nor can any other upon good reason think it, the holding of episcopacy to be of apostolical institution and approbation doth infer a derogation, in the least degree, to that supreme power ecclesiastical, which by the law is established, and by the doctrine of our church acknowledged to be inherent in the crown. Your lordship's ecclesiastical power, as father and master of your own family, is from heaven, of God,

The lord bishop of Ross wrote to his son, who was one of the clergy of Edinburgh, among other things, "to acquaint my lord St. Andrews that he looks upon the temper of the country about him to be very cloudy like;" and adds, "that it is certain the Westland gentlemen who are confined to Elgin and Inverness, have done more evil by their coming north, by two stages, than they could have done in their own houses: they have alienated the hearts of many who were of another principle before; they have meetings with our great folks, and are better respected than any bishop in Scotland would be. He begs they may be recalled, that they spread not their infection any more; they are the staple of intelligence between the west and north, among the fanatic party; and desires that the primate may be acquainted with this, and make his own use of it¹."

ON THE 18th January the privy council issued a proclamation against the notorious John Welsh and a number of other "Scots worthies;" and Wodrow, as usual, very charitably, and like a faithful historian, ascribes it to "the instigation, *probably*, of the bishop of Galloway." The acts of parliament which that worthy had broken were cited; yet, in contempt of the royal authority, they kept conventicles and private meetings sometimes to the number of thousands and upwards, and did most seditiously, by their practice and example, and by their speeches and discourses, seduce and endeavour to withdraw others from obedience to the civil and ecclesiastical government; that these ministers rode about

and not of man; yet in the exercise of that power you are subjected to the power, jurisdiction, and laws of your sovereign, and it will be hard to give a clear reason of difference why the ecclesiastical power, because it claimeth to be of divine right, should be therefore thought to be injurious to regal power, and the other (though claiming in the same manner), not to be. It is well your lordship professeth episcopal government to be the best; the law says so, and as it is now settled in Scotland to be well ordered, though some, who did observe it, told me that your lordship was the alone nobleman upon that bench who gave your NO to the act for restitution of that order, which was renewed in the last session of parliament. The measure I would take in these matters of all Scotamen, is, that when the public constitution of church and state are now settled legally, their conscience and concernment does oblige to pay deference to the public judgment of the kingdom, and sacrifice their private opinion in these matters to the peace of the church and honour of the laws, and to give to Cæsar that which the law declares to be his, in the observing, and not violating of which, the interest of our order, as well as of the other orders of the kingdom, will be preserved, and the true interest and repute of Scotland will be best served. Pardon all this trouble you have in return to your two last, from,

" May it please your lordship,

" St. Andrews,
" 22d November, 1665."

" Your humble servant,
" ST. ANDREWS."

¹ Cited in Wodrow's History, ii. 3.

the country armed with swords and pistols ; that John Crookshanks, one of them, had translated Buchanan's *De Jure regni*, which had been burnt by the common hangman, and infused the poison of its treasonable and seditious principles into the people. These preachers of sedition and the covenant were summoned to appear before the privy council, under pain of outlawry ; but which they neglected to perform, and some time afterwards they were declared rebels, and forfeited. It was the *sedition* of these men, and *not* their religion, at which the council aimed ; but unfortunately their political and their religious principles were so closely united that they could not separate them in their popular addresses¹.

Wodrow inadvertently admits, that " in the beginning of this year presbyterian ministers had some connivance, and were permitted to live in their hired houses when turned out of their livings. This is a clear admission that the government did not disturb those ministers who lived *peaceably*, and that those ministers of *sedition* only were prosecuted who rode about the country armed with swords and pistols.

" The call," he says, " of the importunate multitude was not yet so great as afterwards, and generally they only preached to their own families and a few neighbours, who now and then stole into their houses. Field-preachings, unless it were in some few places in the south, where the people would not hear the curates, were but very rare. The meetings of the episcopal ministers in cities and towns, except when they were openly profane and vicious, were as much frequented as they could well expect. Indeed, evils grew among them, and their impertinent and reproachful sermons, their open share in the cruelties and oppression, with their lewd lives, quickly after this altered matters²." This is one of the many incidental admissions, which are to be met with in Wodrow, of the respect and esteem in which the established episcopal clergy were held ; but he cannot refrain from adding those false accusations, in obedience to his instructions, of cruelty, lewdness, &c., with which the memories of those excellent men have been ever since most unjustly assailed. Then he goes on to copy from Kirkton : " At this time, if they (the episcopal clergy) could have been satisfied with the numbers of hearers they had, many thought they might have enjoyed their churches longer than they did : but they would have as throng churches as the presbyterian ministers formerly had ; and if regard to their persons and sermons could not procure

¹ Wodrow's History, i. p. 6.—Scots Worthies, *passim*.

² Wodrow, vol. ii. p. 8.

hearers, it is resolved terror, force, and fear shall¹. It may be easily gathered from this, when stripped of its malignity, that the episcopal church was not obnoxious to the quiet and peaceable, even in the stronghold of the covenant, the associated counties. There were men high in power whose interest it was to keep Charles's government in continual agitation, and they secretly encouraged the disaffected ministers to hold political conventicles, where, under colour of preaching, seditious principles were inculcated, and where the men were accustomed to meet in arms. It was this species of sedition which was the terror of government, and to put down which so many rigorous measures were adopted, some of which were certainly incompatible with the liberty of the subject. These seditious meetings, and the severities which they compelled the civil government to adopt, united to the system of "enormous lying," and which has been persevered in by their apologists, are what has brought such unjust and undeserved odium on the episcopal church. Notwithstanding this most mendacious system, these authors are compelled sometimes to admit the truth, although with their own qualifications. "To give every man *his due*, he [archbishop Burnet] was certainly one of the best morals among the present clergy. He was a mighty bigot for the English ceremonies and forms, and as forward to have all the usages of that church introduced to Scotland, as if he had been educated by bishop Laud; yea, to have his fancy pleased with these pageantries, he could have *almost* submitted to the old claim of the see of York over the church of Scotland. At his first diocesan meeting, he put five or six curates publicly in orders, after the English pontifical, to enure the west of Scotland to these novelties²." It is rather surprising, that ordination, after the manner practised in England, should be objected to, when even the Westminster Confession itself acknowledges its validity. But the fact is, that these authors seize on every trifle with the greatest avidity, in order to rouse a spirit of hatred and malice in the minds of their readers against the then established church; and all the rigorous proceedings of the civil government were laid to the charge of the curates, as they contemptuously called the clergy. Even the fines imposed by parliament soon after the Restoration, and which were very oppressive and unequally levied, were said to have been imposed by the clergy: "these fynes imposed by the curats³;" as if the clergy had been not only the makers of the laws, but, at the same time, the executive govern-

¹ Wodrow, vol. ii. p. 8.—Kirkton, p. 221. ² Ibid. ³ Kirkton, p. 222.

ment. This is part of that system of "enormous lying," and which has hitherto worked so effectually, *ad captandum vulgus*.

THE SPIRIT of disaffection which was manifested throughout the presbyterian districts rendered it necessary to augment what was called the standing army, and two regiments of foot, and two troops of horse, were embodied, which made the whole disposable force of the kingdom amount to three thousand infantry, and about six hundred cavalry. The chief command of this little army was given to sir Thomas Dalzell, of Binns, "a man naturally rude and fierce, who had this temper heightened by his breeding and service in Muscovy." On the 8th of June a fast was held throughout the kingdom on account of the war, and to implore a blessing on his majesty's arms; and it was found necessary to enforce a former order in council for those who took degrees at the universities to take the oath of allegiance. In turning over the leaves of the council books Wodrow found this act without note or comment; yet his malignant disposition discovers that it was done by the "importunity of the bishops to do something further in order to corrupt the youth¹!" This he calls an encroachment upon the universities, and he "can find no instance of this oath being imposed in Scotland but when prelacy was in the church." Presbyterian memories are remarkably short, when they overlook their daring encroachments on not only the universities, but the domestic hearth, by the imposition of the covenant on all sorts of people under the pains of temporal and eternal punishments. A royal letter, signed "Lauderdale," was received by the council, upon which they were required to issue a proclamation "enjoining that all heritors [proprietors of land or houses], and landlords be obliged and made answerable for their tenants and servants living orderly, and not withdrawing from ordinances and not keeping conventicles." Whether or not that noble covenanter intended this for one of his thrusts under the fifth rib, cannot be exactly ascertained; but there is no doubt that Wodrow so intended it, for he prefaces it with his usual malignant mendacity—"A letter is sent down from the king to the council, dated October 1st, *no question procured by bishop Sharp, if not formed by him*²." His whole history, which in many respects is invaluable, is made up of such materials as the above—"no doubt;" "very probably;" "possibly;" "it was currently reported;" "such a one informed another who informed a third, who told me;" "I am well in-

¹ History, ii. 14.

² Ibid. ii. 15.

formed ;" and it is unfortunate that all presbyterian authors who have profited by his laborious researches have invariably turned his "very probabilities" into most certain matters of fact.

DAVID FLETCHER, who had been appointed to the bishoprick of Argyle, but who had never been consecrated, nor had ever taken possession of it, because the revenue "*was naught*," (the earl of Argyle having secured the whole of the lands belonging to that see), died in the end of last year at his parsonage of Melrose, which he had never left, but continued to perform his parochial duties to the day of his death. Just before the commencement of the presbyterian rebellion, about to be related, Dr. William Scroggie was consecrated bishop of this see¹. As usual, Keith gives no account of the consecrators or the place where the rite was performed ; but as the diocese of Argyle lies within the province of Glasgow, it is probable that he was consecrated by archbishop Burnet. He was the son of Dr. Alexander Scroggie, one of the clergy of Aberdeen, and professor of divinity in the King's College of that city, who united with bishop Bellenden and the other professors and clergy in signing a protest against the covenant in the year 1638, expressive of their hearty abhorrence of that impious document².

THIS YEAR THE CITY of London was desolated by a most extensive and calamitous fire, and which is generally ascribed to the papists, as it had been the year before by the noon-day pestilence. Within three or four days this divine visitation consumed eighty-nine churches, the city gates, Guildhall, many public structures, hospitals, schools, libraries, four hundred streets, containing nearly fourteen thousand houses ; multitudes lost their property, goods, and merchandize, and many flourishing families were reduced to beggary. The previous year the plague carried off eight or ten thousand persons in a week, and in one week there were as many as twelve thousand died. "The whole British nation wept for the miseries of her metropolis. In some houses carcases lay waiting for burial, and in others persons in their last agonies : in one room might be heard dying groans, in another the ravings of delirium, and not far off, relations and friends bewailing both their loss, and the dismal prospect of their own sudden departure." A woe seems to have been denounced against those who were with child and gave suck in those days ; for "death was the sure midwife to all children, and infants passed immediately from the womb to the grave. Who would not burst with grief, to see the

¹ Keith's Catalogue, 391.

² Vide *ante*, i. ch. xiv. 589-590.

stock for a future generation hang upon the breast of a dead mother? or the marriage bed changed, the first night, into a sepulchre, and the unhappy pair meet with death in their first embraces? Some of the infected ran about staggering like drunken men, and fell and expired in the streets: while others lay half dead and comatose, but never to be waked but by the last trumpet: some lay vomiting as if they had drunk poison, and others fell dead in the market, while they were buying necessaries for the support of life¹. The sins of princes are frequently visited on their people; and those of the court of Charles II. were enormous and infecting. Although the court removed to Oxford, yet the pestilence, which then walked at noon-day, made no impression on the impure hearts of Charles, his courtizans, and courtiers; they continued in the same dissolute and debauched lives as formerly. Seventy thousand were cut off in one day for the sin of David in the matter of Uriah; and who knows but that these dreadful calamities may have been brought upon the nation for the provocations of the royal adulterer? But the covenanters accounted for it in their own way. "It was observed in several papers written about this time, that the appearance of a globe of fire was seen above that part of the city where the Solemn League and Covenant was burnt. But whether *that* be true or not, it is *certain* the plague broke out *there*, and very few were left alive in *that* street, where that open affront had been put upon the oath of God²." The fact here stated is *not certain*; for the plague first broke out in *Drury Lane*, and the invention of the devil and the jesuits was burnt in *Cheapside*.

BURNET RELATES a story about himself in as favourable a light as possible for his own conduct, and as it is to be found in his Own Times, I shall relate Dr. Cockburn's true account of the transaction, who had it from his uncle, bishop Scougal,— "Like one of the old prophets he proposed and enterprised a public reformation of the church, and would begin with the bishops." He was then minister of Salton, having been presented to that parish by sir Robert Fletcher on the promotion of Dr. Scougal to the bishoprick of Aberdeen; and he had been ordained by bishop Wishart at the age of twenty-one. At the age of twenty-three he essayed the reformation, "having by his rambling up and down picked up all the silly clamours and idle stories among the presbyterians; and also heard some material grievances complained of by some judicious persons

¹ De Foe's History of the Plague.—Dr. Quincy's Loimologia, 16-17.

² Crookshank's History of the Church of Scotland, i. 192.

of the episcopal persuasion, he resolveth to charge all home upon the bishops, by a letter to each of them, and accordingly writes fourteen letters. I suppose each had just such a copy as that sent to the bishop of Aberdeen, which was given to me; it consisted of three sheets of fine post paper, written folio-wise. It began with these words of Elihu—"I am young, and ye are very old; wherefore I was afraid, and durst not show you my opinion. I said, days should speak, and multitude of years should teach wisdom. But there is a spirit in man, and the inspiration of the Almighty giveth them understanding. Great men are not always wise: neither do the aged understand judgments." After some further preface, he proceeds "to upbraid their pride and vanity in hanging their rooms, riding in coaches, with footmen and other servants in livery; for marrying their daughters to gentlemen rather than to clergymen; and for training their sons to other employments than the ministry, as if it was below them; for keeping their clergy at too great distance, as if they were not brethren and fellow-labourers, and for exorbitant fees to their clerks." There were other charges; such as their not calling a general assembly, nor enacting canons, nor compiling a liturgy, not having public prayers daily in their cathedrals, not residing in their dioceses, but living too much in Edinburgh. He protested that he meant well and wrote sincerely, and, that he might not expose them, had transcribed all the letters with his own hand without the privy or communicating the matter to any one.

THE CHIEF of these accusations, but especially the riding in coaches with servants in livery, was meant at the archbishop, who only kept a coach, and whose servants only were in livery; and he alone was more in Edinburgh than the other bishops, because he was a privy councillor, and the others only resided there in time of parliament, or when other important business drew them there. The amount of costs for letters of orders was twenty shillings Scots, or about one shilling and eight pence sterling. The obstacle to the calling an assembly did not rest with the bishops, but with the king, lest rebellion and a third reformation should again desolate the kingdom, and send him on "his travels." But every bishop was required to remedy any defects which might arise from the absence of an assembly, by the peaceable operations of his own diocesan synods and presbyteries.

UPON THE RECEIPT of this letter the archbishop convened such of the bishops as happened to be in town, to consult and determine what notice should be taken of it. They were all "highly offended that a stripling should be so insolent and take so much

upon him, for he owns he was then only about twenty-three." They considered that this action indicated a dangerous and turbulent person, who went upon false and fanatical notions, and who considered that whatever the old prophets did by inspiration, was a warrant to every private minister to rebuke his superiors. "Yet at first, they were inclined to drop it as an act of novitious fervour and indiscreet zeal, believing it *true* what he *solemnly protested*, that none were privy to what he had done. But behold, whilst under this deliberation, there was a discovery of gross prevarication, which mightily incensed them, especially the archbishop, who concluded all was levelled against him, as certainly it was chiefly, and he also suspected a deeper plot in it. For Mr. Burnet, fearing that the bishops would smother his letter, and so defeat his vanity, had not only imparted it, but had given copies of it to his presbyterian friends and others, which were handed secretly about the town; yea, copies could be purchased for a little money before those sent to some of the bishops could reach them."

THIS ALTERED the state of the case, and it was therefore unanimously agreed to summon him before them. He was examined upon all the points of his letter, to which he answered with his natural assurance; but when his prevarication was pointed out he shewed considerable confusion. Another day was appointed for his appearance and to receive sentence; which he himself and all others believed would be deposition; for all men, except the presbyterians, condemned his conduct. At the next meeting, and before he was called, it was debated what censure should be inflicted. The archbishop was decidedly for deposition, and all were of opinion that he deserved it; but his friend bishop Scougal, of Aberdeen, argued in his favour that he was young, and so reclaimable; that this was his first fault, and he hoped the shame of it and a rebuke given to it would have a beneficial influence on his future life, and induce him to be more modest and humble; whereas, he said, deprivation might harden him, and tempt him to join the presbyterians, who would court him and turn his malice to account, and by his means give great disturbance to the church. This opinion greatly swayed the other bishops; but it was quite contrary to the archbishop's judgment, and therefore he left the meeting, and said, in some heat, "My lord, seeing you defend this man, take the chair, and give what sentence you please." Burnet was called in, and bishop Scougal, without changing his seat,—as he told Dr. Cockburn, "with some unusual warmth, having all indignation at his fault, though he was for moderating the censure of it—summed up the charge

against Burnet, and laid plainly before him and the rest his pride, vanity, and insolency, his false and indiscreet zeal, his busy meddling without his sphere and without a call, his prevarication and rashness to widen the differences of the church, and some other things of the like nature, for all which he justly incurred the censure of deposition; but considering his youth, and hoping that he had a deep sense of his miscarriage, and was resolved to take better heed to himself, it was agreed, upon his humble submission and acknowledgment, to let him go with a rebuke, and to ask pardon upon his knees¹." Dr. Cockburn says he was obliged to ask pardon in this manner; but the veracious bishop of Salisbury himself says, "Great pains were taken to make me ask pardon, but to no purpose; so Sharp let the thing fall²."

THE COVENANTERS who had been banished, and others who had fled to Holland, eagerly communicated with their friends at home, thinking the present a favourable opportunity of embarrassing the government while engaged in the Dutch war; and there was certainly a plot to seize upon the castles of Edinburgh, Stirling, and Dunbarton, but which failed, and government were on the alert to discover the conspirators³. Wodrow and others make great efforts to work up the "sufferings" of the covenanters with dramatic effect, and to magnify a handful of soldiers into an *army*. Turner, it is said, "made terrible havoc in the west, and especially in the south: that country was made a wilderness, and well nigh ruined." And a modern retailer of the slander of Wodrow and Naphtali says, "it seemed as if there was a positive determination to drive the country beyond all possible endurance, that they [the prelates] might have the opportunity of *exterminating* the population, if they could not otherwise *extirpate* presbytery. Early in spring, sir James Turner was again sent to devastate the south and west of Scotland⁴." This is an enormous exaggeration and an impudent falsehood, that will be evident to every person not excited by the falsehoods of that party, when it is known that the *army*, as it was called, under sir James Turner's command, *only amounted to sixty men rank and file*! On his trial he deposed to this fact *on oath*; and it may be left to the judg-

¹ A Specimen of some free and impartial Remarks on Public Affairs and particular Persons, especially relating to Scotland, occasioned by Dr. Burnet's History of his Own Times, by John Cockburn, D.D. (no date) pp. 30 to 43.—Dr. Cockburn was bishop Seougal's nephew and had the relation of this affair from his uncle.

² Burnet's Own Times, i. 394-95.

³ MS. cited by Dr. M'Crie.

⁴ Hetherington's History of the Church of Scotland, 134.

ment of any impartial person to decide, whether or not it was possible to "devastate," "exterminate," and "ravage" five large counties with a force that never exceeded sixty men!

TURNER had improved a naturally fierce disposition when he served under the covenant, and if he did not actually *assist*, he witnessed at least three several *massacres* of prisoners in cold blood, at the urgent solicitations of the ministers of the covenant; and having assisted in collecting the fines which the Committee of Estates imposed on the *malignants* in the day of their power, he was familiar with extortion, and it appears that he had not borne his faculties too meekly. An insurrection of the military church broke out in the month of November, from the seditious instigation of the refugees in Holland; but which their apologists represent to have arisen from accident, rather than from any formed design. Turner, they say, had sent four soldiers to the village of Dalry, in Galloway, with instructions to seize the effects of a covenanter who had been fined for defiance of the law, or, if that could not be done, to arrest the man himself. It is said that the soldiers seized both his person and his effects. M'Lellan, of Barscob, and other three countrymen, who *happened* to be in the village, immediately went to his assistance, and having overpowered and wounded the soldiers, they rescued the man. The following is an excellent specimen of the mendacity and exaggeration practised by Wodrow, and continued by his admirers: he alleges that they were going "to strip the old man naked, and *set him on a red hot gridiron*, and were using *unheard-of* torture and barbarities towards him." In a poor cottage at that time it is not likely that there would have been such an utensil as a gridiron; and besides, even with all the lawlessness of the soldiery, they dared not have committed a deliberate murder, which roasting alive on a gridiron would have been: but notwithstanding its horror, this assertion is merely for stage effect, and nothing more. Burnet contradicts this account, and says, "they [the insurgents] spread a report, which they have since printed, and it passed *for some time* current, that this rising was the effect of a sudden heat that the county was put in, by seeing one of their neighbours tied on a horse, hand and foot, and carried away, only because he would not pay a high fine that was set upon him. . . . But *this was a story* only to beget compassion, for after the insurrection was quashed, the privy council sent some round the country to examine the violences that had been committed, particularly in the parish where it was given out that this was done. I read the report they made to the council, and all the depositions that the people of the country

made before them: but this was *not* mentioned in any one of them¹." This report is not recorded by Wodrow, and therefore the bishop's account is most probably true.

ELATED with this success, the presbyterians collected, and putting themselves under the conduct of Mr. M'Lellan, of Barscob, and the other three wayfaring-men, they hurried on to Dumfries, about twenty miles distant, and before they reached it their numbers amounted to eighty horse and a hundred and fifty foot. In their way they overpowered about a dozen soldiers, and on the morning of the 14th they entered Dumfries, and captured Turner in his bed, "and disarmed all the soldiers." They seized Turner's military chest, and one Gray, to whom they entrusted it, embezzled the money, and ran off from them. They made diligent search for the episcopal clergymen at Dumfries, but who escaped their tender mercies. A rumour that lord Drumlanrig had collected his tenants, and was advancing to attack them, induced the rebels to retreat to their village of Dalry, whence they pushed on eight miles farther, to Carsphairn, that night, which was dark and rainy. Next day some gentlemen with their retainers joined them, and they advanced to Ayr, which is a considerable distance farther westward, gathering as they went, till their numbers amounted to nearly three thousand men. "Their mistaken hopes," says Kirkton, "made them expect that when they came to that country all the gentry *and ministers* should presently join them; but when they came thither they find major-general Montgomery and the laird of Gadgirth were both gone to meet Dalzell at Eglinton, and the ministers living quietly in their families. This offended the colonel's party very much, that friends in the country should be so little concerned."

THE GOVERNMENT was not a little alarmed at this rebellion, and sent despatches to the earl of Rothes, who was then on his way to court. When he left Edinburgh the kingdom was in a state of profound tranquillity, and he could scarcely credit the king when he showed him the governor of Carlisle's despatch, received that morning, giving information of the rebellion. The council ordered Dalzell to concentrate his small force at Glasgow, and to wait the movements of the presbyterians. They also issued a proclamation, declaring this "insurrection to be an open, manifest, and horrid rebellion and high treason . . . and if they continue in their rebellion after twenty-four hours' notice, they shall be holden and pro-

¹ Own Times, i. 428-29.

ceeded against as incorrigible and desperate traitors;" and they directed all the nobility of the west to collect their retainers, and assist his majesty's troops. The rebels sent emissaries to Edinburgh, to ascertain the numbers there that might be at their disposal, where they met their secret friends in the house of one Robertson, a presbyterian minister. Welsh, Semple, and other ministers, joined the main body at Ayr. A colonel Wallace and major Learmonth, who had seen some service, left the capital, with a few horsemen, to join the rebels, when the former was chosen their leader. Mr. Guthrie, minister at Tarbolton, joined the main body with all the presbyterians of his parish.

THE REBELS lingered in Ayrshire till Friday the 23d, when they held a council of war at Ochiltree, and it was determined to march towards Edinburgh, which placed the royal army in their rear. They halted on Saturday the 24th at Douglas, where a council was held, and where the lay-chiefs were disposed to have dissolved their confederacy, urging the disinclination of the people to join them, the disproportion of their numbers to the king's troops, which were besides assisted by the feudal array of the nobility, and also the unpropitious season of the year for operations. The ministers were divided. M'Cormick, an Irish minister, coincided with the military chiefs; but Semple, Welsh, Maxwell, and Guthrie, the chief incendiaries, were for war, as "they had a clear providential call," they said, "to this undertaking, and that they could not quit it till they had as plain a warrant to desist as they had to gather together!" In order to propitiate heaven, it was determined to renew that inexhaustible fountain of blood, heresy, and schism, the Covenant, and which they carried into effect at Lanark. They had carried Turner along with them, and it was now debated whether or not he should be put to death, "as being notoriously guilty of murder, and a bitter and bloody instrument of persecution." Wallace, however, had sense enough to see that such a proceeding would not only exasperate the government, but perhaps provoke reprisals; and therefore, as a matter of *prudence*, he preserved the life of his prisoner from the fury of the ministers, although Wodrow's editor calls it "a godlike action of mercy!" On Sunday night the insurgents reached Lanark, and on Monday, the 26th, they swore the Covenant with as much solemnity as possible, in the hope that such a ceremony would have induced the presbyterians in that quarter to join them. But in this they were disappointed, for Dalzell was within a few miles of them, and they had no mind to run into certain destruction. Guthrie,

of Tarbolton, Semple, and Crookshanks, preached to three divisions of the insurgents in the open air, after which the covenants were read and sworn. "It was at Lanark this rolling snowball was at the biggest . . . here their number was judged to be near three thousand; but, indeed, a company of raw undisciplined men, neither tolerably armed, nor in any order." Nevertheless, the extirpatory obligations of the covenant, and the mad fanaticism of their ministers, pitted this miserable congregation of religious enthusiasts against the whole military array of the three kingdoms!¹

THESE MILITARY SAINTS were now first called WHIGS. After renewing their covenant they issued a manifesto, in which they denied that they rose against the king, complained of oppression, and, as became good presbyterians, demanded the utter extirpation of episcopacy, and the setting up of the image which the jesuits had made—the Covenant; and if this was agreed to, they promised to yield the same sort of obedience as the commission of the kirk had displayed in the preceding reign. And the author of *Naphtali*, in justifying this and all other rebellions, says, "that rising up against authority itself, the ordinance of God, and disobeying the powers therewith vested, standing and acting in their *right line of subordination* [to the kirk], is indeed rebellion, and as the sin of witchcraft; but to resist and rise up against persons *abusing* sacred authority [who is to be judge?] and *rebell*ing against God the supreme, is rather to adhere to God as our liege lord, and to vindicate both ourselves and his abused ordinances from man's wickedness and tyranny . . . and for subjects to rise in arms really for the defence of religion, against the invasions of the powers under the pretence of lawful authority, is both lawful and laudable²." If this language is not borrowed from the jesuits, it at least bears a very strong resemblance to their maxims. Lysimachus says, "the plea of the primitive church was, 'we will petition, but not fight against Cæsar; for we neither can nor ought to resist the powers.' Yet let not this trouble us; for herein is fulfilled the prophecy of Christ, while he said, 'He came not to send peace, but the sword.' And again, this change is necessary, for else his holiness the

¹ Wodrow, *passim*.

² *Naphtali*, or the *Wrestlings of the Church of Scotland for the Kingdom of Christ*, p. 213.—*Note*. The italics are the author of *Naphtali*'s own. It is added in MS. in the title page, that "the reasoning part of this book was composed by sir James Stuart, of Goodtrees [an ancestor of vice-admiral sir Philip Durham], and the historical part by Mr. James Stirling, minister of Paisley."

pope should be subject to the emperor, according to that of Paul, 'Let every soul be subject to superior powers;' which he [the pope] neither is nor ought to be. And therefore Bernard herein deceived himself, while he makes this a general rule without exception, saying, that 'he who endeavours to be excepted from this rule attempts to deceive;' for both the *pope* with us, and *the people* with you, *must be excepted*¹."

BEFORE THE WHIGS broke up from Lanark, Mr. Lawrie, of Blackwood, waited on their commander from the duke of Hamilton, to ascertain what really were their demands, and to propose that they should lay down their arms; but as Lawrie produced no credentials, Wallace suspected that his proposal was only a stratagem to discover their strength, and he was disposed to have arrested him as a spy. Dalzell was advancing from Glasgow; and he published a proclamation, by the orders of the council, offering a pardon to all who should lay down their arms and return to their homes within twenty-four hours; declaring all to be rebels that should continue any longer in arms. The people were so favourable to the Whigs in the neighbourhood of Lanark, that Dalzell could not obtain any intelligence; and this bias is confirmed by archbishop Burnet, in a letter to archbishop Sheldon, of the 27th December, in which he says, "so great and general is the affection of the people, especially in the west, to that party, that my lord commissioner complains of these that are known to be returned home to their houses, few or none can be secured or apprehended."

THE WHIGS were now in the greatest perplexity how to act. Lanark was the best position for encountering Dalzell which they had yet occupied, if they had resolved on fighting, and also the best point for dispersing and reaching Galloway, had they determined at that time to resign so hopeless a warfare. They determined, however, to advance to the capital, and so broke up from Lanark on Monday the 26th, but not before Dalzell's advance guard was within sight. The Whig army reached Bathgate, which is eighteen miles westward of Edinburgh, that evening; but Wallace had not the ordinary prudence to send forward videttes and proper officers to secure quarters for his men. The day had been excessively wet, the night was horribly dark, and his men were desponding and fatigued. A false alarm that the royalists were approaching, so startled their incautious commander, that at midnight he started off, in an oblique direction, across the country to Collinton, about

¹ Epistle Congratulatorie, Lysimachus Nicanor, pp. 6, 7.

five miles from Edinburgh, and in the morning his men "looked rather like dying men, than soldiers going to battle. It would have almost made their very enemies themselves to relent to have seen so many weary, faint, half-drowned, half-starved men, betwixt enemies behind and enemies before." During the night-march many of the Whigs deserted a falling cause, and others missed their way in the dark, who never again found their party. Wallace still entertained hopes of a reinforcement from Edinburgh, but he was entirely deceived; the number of Whigs in the capital was small, and the citizens had armed themselves and barricaded the gates, so that the few friends they had there could not escape the vigilance of the warders. From Collinton they ascended the Pentland hills, and took post on a place called Rullion-green. Here Lawrie again came from the duke of Hamilton, to request they would lay down their arms and disperse, and promised that his grace would procure the pardon of their leaders from the council. This most seasonable interposition was unhappily rejected, and Dalzell therefore advanced, for he was then within five miles of them, but had halted, to give them an opportunity of accepting the duke's proposals, and of saving the lives of his men.

WALLACE was a brave man, but he seems to have been altogether destitute of military knowledge or abilities, and to have had no plan of action. Instead of marching to Lanark, and thus placing the royal army in his rear, he should have moved towards Glasgow, from which, if he had been overpowered, he could have retreated into a friendly country; but it was madness to march towards Edinburgh, and especially to leave Lanark, the only good position which he held, and where he might have disputed the passage of the Clyde. He deliberately marched into a position where escape was scarcely possible. An arm of the sea presented an impassable barrier on his left, a fortified town lay immediately in his front, a powerful and disciplined army hung close upon his rear, and, to crown his miseries, he now ascertained the population was hostile, and that the whole fencible force of the country was arrayed against him. He now wrote to Dalzell, representing the oppressions and grievances of the covenanters, and desiring a passport for a commissioner to present a petition to the council. This was granted; but the council would not treat with rebels with arms in their hands; and that body informed Dalzell that their proposals could not be acceded to, but "if they should lay down their arms, and come in to his excellency within the time appointed, they might petition for mercy;" which, of course, means that it would have been extended to them. A

battle was therefore inevitable, but his force had dwindled to nearly the one-half, and the Whigs now sang the seventy-fourth Psalm:—

Why hast thou cast us off, O God ?
 Wilt thou no more return ?
 O why against thy chosen flock
 Does thy fierce anger burn ?
 Think on thy ancient purchase, Lord,
 The land that is thine own ;
 By thee redeemed, and Sion's mount,
 Where once thy glory shone.

ON WEDNESDAY, the 28th, Wallace drew up his men in three divisions: on his left was a small body of cavalry; the centre consisted of his infantry, poorly armed, with empty stomachs; and the remainder of his horse, under the command of major Learmonth, were stationed on his right. His front was towards the north-west, and he had paid so little attention to the motions of his adversary, that on the first appearance of his cavalry it was supposed to be a reinforcement of friendly Whigs. These were attacked and routed by the Whig horse on the left; but in this rencontre the ministers, Crookshanks and M'Cormick, who had been "the great instruments to persuade the people to this undertaking," were killed. Dalzell rallied, and attacked the centre of the Whigs, who, hungry and ill armed as they were, repulsed the king's troops, and drove them in confusion down the hill. Dalzell rallied again, and brought up a body of cavalry to attack Learmonth's horse, whom he routed and put to flight, which enabled him to turn the right wing of the rebels, and got into the rear of their centre, which having been disordered by their pursuit of the royalists, were easily defeated and dispersed. It was almost dark when the rebels took to flight; and Kirkton says, "the horsemen who had made the chase being most part gentlemen, pitied their own innocent countrymen. There were about fifty killed, and as many taken, of Wallace's men, and five or six of Dalzell's. The country people were very cruel, both in killing the fleeing men, and taking many prisoners." Wallace himself, and Welsh the preacher, dismounted, and fled on foot; Welsh to pursue his former "vagrant" life, and Wallace to effect his escape to Holland. During the battle, Welsh "prayed with uplifted hands to the Lord of Hosts against Amalek (as the spirit moved him to miscall the royal forces); and had his hands stayed up by some of his brethren, as Moses had his by Aaron and Hur;" and upon this occasion Robertson, the minister, said in his prayer—"And if THOU wilt not be our secondarie, we will not fight for THEE at all; for it is not our cause,

but Thine own; and if Thou wilt not fight for it, neither will we¹."

THE PRIVY COUNCIL acted with great prudence and vigour, and made all the necessary preparations for crushing this rebellion, upon the largest scale which circumstances admitted, and which was really the most merciful course that they could have pursued. Their activity and vigilance, however, are attributed to the fears and the guilty consciences of the prelates, by a modern historian of the most malignant type: "A guilty conscience," says he, "sounds a loud alarm, and the prelates appear to have believed that the whole kingdom was about to rise in arms, and inflict that vengeance which their own hearts told them that they so fully deserved²." Not one of the bishops, Wodrow himself being the evidence, had any thing to do in this business, except the primate, who was a member of the council, and, in Rothes' absence, its president; and there is no doubt, if he had not adopted prompt and decisive measures, that the whole presbyterian party in the nation would have risen in arms. "The cowardly terror of the prelates had been extreme, and now their thirst of vengeance could not be satisfied," says the same author—a calumny as base as the assertion is false; for the bishops were each in their respective dioceses; the primate only was at the head of affairs; and he shewed that activity and vigilance, according to his bounden duty, which were the effects of courage and resolution, and not of cowardly terror. "And why," says bishop Honyman, "why should he be upbraided for his faithfulness to his king in the late insurrection, seeing there is no loyal subject but will approve his honesty and activity in that juncture of affairs?"³ But his prudent and prompt measures put down the rebellion before it had time to extend, and wrap the whole kingdom in flames, for the supremacy of the holy discipline, *hinc illæ lacrymæ*. And as for the casualties and executions, the rebels ought to have calculated upon them, and to have reflected that those who play at bowls must expect to meet with rubbers. Wodrow and Kirkton represent the conduct of the country people near the scene of action as having been unfriendly and cruel to the Whigs on this occasion, which shews that their cause was not popular; but they admit that the clergy protected them, and assisted in their escape.

THE FOLLOWING DAY, the prisoners, who amounted to about

¹ Wodrow's, Crookshank's, Kirkton's Histories—Burnet's Own Times—Sir James Turner's Memoirs.

² Hetherington's Hist. of Ch. of Scotland, p. 135. ³ Sur. of Napht. 235.

eighty, were brought into Edinburgh, and lodged in the common gaol and other places. By this time the earl of Rothes had returned, and resumed the government, who, with thirteen other councillors, sent a despatch to the king, informing him of the defeat of the rebels, and of their intentions to proceed against the prisoners according to the laws against traitors. The crown lawyers and judges gave their opinion for the trial of the prisoners, notwithstanding that quarter was said to have been given them in the field; but which sir George Mackenzie denies, and says, the council had prohibited the general from tying up their hands in this way. The bishops and clergy throughout the kingdom petitioned the king and council in favour of the prisoners, and the bishop of Edinburgh, who had himself suffered the rigours of the "thieves' hole" from covenanting tyranny, now returned good for evil, and fed the prisoners so liberally from his own kitchen, that they ran more risk from over repletion than they had formerly done from famine and the sword. On the 4th of December, eleven of the prisoners were tried and condemned, for high treason, and for appearing in the field against the king. One of them died in prison of his wounds, and the other ten were hanged on the 7th and 11th of the same month, and some others were executed on the 22d. Four received a pardon on complying with the terms proposed by the king himself, which were, that they should *promise to obey the laws*, and say, *God save the king*¹. Four only could be prevailed upon to accept these easy terms; and although "God save the king" be a Scripture phrase, yet their devotion to the covenant was so strong, that they rather embraced death than use an expression which has God's own approbation². Burnet says, "they did all at their death give their testimony, according to their phrase, to the covenant, and to all that had been done pursuant to it; and they expressed great joy at their sufferings"³.

OF ALL THOSE who were executed for their concern in this rebellion, Hew M'Kail, a minister, received the greatest popular sympathy, and raised a proportional clamour against the primate. He was engaged in the rebellion, and thought to have been deeply implicated in the secrets of the ringleaders; and he was taken prisoner with a sword in his hand after the battle of Rullion-Green. He was examined by the privy council, and, to the disgrace of the age, torture was applied to extract information from him⁴; but he confessed nothing.

¹ Nicol's Diary, 452.

² Wodrow, *passim*.

³ Own Times, i. 434.

⁴ The *boot* has been so well described by the immortal Scott, in the "Covenanters," that it need not be here repeated.

and perhaps had nothing to confess. M'Kail's brother, an apothecary, applied to the primate, who was then at St. Andrews, to interpose his authority and influence for his preservation, but he could not serve him, as the man's trial was then pending before the high court of justiciary. When M'Kail was placed at the bar, he "spoke of the ties and engagements that were upon the land to God; and having commended the institution, dignity, and blessing of presbyterian government, he said that the last words of the national covenant had always great weight on his spirit. Whereupon the king's advocate interrupted him, and desired he would forbear that discourse, 'since he was not called in question *for his persuasion, but for the crime of rebellion.*'" He was found guilty of high treason and rebellion, and condemned to be hanged. His execution was eagerly laid hold of by Burnet and others to add to the calumnies which were so plentifully heaped upon the primate, who was then at St. Andrews, and quite unconnected with the trials which were going on. The author of Naphtali says, "that Mr. Hew M'Kail, a young man of twenty-five years of age, and an expectant in the ministry, being arraigned and accused through *mere spite* of the archbishop of St. Andrews (against whose Judas-like apostacy he had preached four years ago), for no greater accession than that he had been some few days with those that rose, with a sword (having been most uncircumspectly taken leaving them, because of his infirmity and weakness, the day before the conflict), did not only most patiently endure cruel torture, whereby he was examined, for the discovery of the contrivance of that Rising, which all men saw and knew to be undeliberate; but notwithstanding the promise of favour plainly made to him upon condition of ingenuity (which he sincerely used), being also condemned, did utterly reject all insinuations made unto him upon the condition of the least retraction; and bitterly mourning for, and repenting of his apparent fainting and relinquishing, though it really proceeded more from his infirmity than fear or love of life, but rejoicing in his own folly, whereby the Lord did bring him to such a manifestation of his grace and declaration of his glory, to the admiration of all, in his most constant and christian suffering, by his blood sealed the truth and glorified God¹." This poor man was executed in the full odour of enthusiasm on the 22d December, glorying in what ought to have been his shame, and being considered by his party a martyr for the covenant. He said on the scaffold, the greatest act of the loyalty which any

¹ Naphtali, 219.

man could do was to make the utmost exertion "to *extirpate* that abominable plant, prelacy;"—"and it was for endeavouring to defend this [the covenant] and to *extirpate* that bitter root of prelacy, that I embrace this rope. . . . So there is a *greater* and *more solemn* preparation in heaven, of angels [than at the death of Lazarus], to carry my soul to Christ's bosom!"¹ But the following extract will shew that the delusive spirit of the covenant is not yet extinct in the nineteenth century, and its bitter and unjust malignity is not yet quenched. "Thus passed from earth . . . one of the brightest, purest, and most sanctified spirits that ever animated a mere human form; a victim to prelatic tyranny, and a rejoicing martyr for Christ's sole kingly dominion over his church, and for that *sacred* covenant in which the church of Scotland had vowed allegiance to her divine and only head and king. Till the records of time shall have melted into those of eternity, the name of that young christian martyr will be held in most affectionate remembrance by every true Scottish presbyterian, and will be regarded by the church of Scotland as one of the fairest jewels that ever she was honoured to add to the conquering Redeemer's crown of glory!"²

¹ His Life, in Scots Worthies, 286.—Crookshank's Hist. i. 233-37.—Wodrow.

² Hetherington's History, 137, published anno 1843.—In a note to the Memoirs of Mr. William Veitch, Dr. M'Crie makes a long extract from a MS. in the Advocate's Library, which will clear the primæ of this foul accusation, "containing some particulars not generally known."

"The fore-mentioned Mr. Mathew M'Kail, then apothecary in Edinburgh, and afterwards doctor of medicine, when he heard of his cousin Mr. Hew M'Kail his being taken, and put in prison, went to Mr. James Sharp, archbishop of St. Andrews, to solicit for him. When Mr. Mathew spoke to him, he desired him to assure Mr. Hew that he would befriend him, if he would reveal the mystery of the plot, which he not being able to do, occasioned his torture; but there was *indeed* a plot to have surrendered the castles of Edinburgh, Stirling, and Dumbarton, in July that year; and the chief contrivers failing, nothing was done. Upon the Thursday thereafter, the bishop went to St. Andrews, and Mr. Mathew followed him on Friday, but reached only Wemyss that night. After dinner, he arrived at the bishop's house on Saturday, and the servant told that the barber was trimming him, and when he was done, Mr. Mathew would get access. When Mr. Mathew got access, he delivered to the bishop a letter from the marchioness Douglas, in favour of Mr. Hew, whose brother Mr. Mathew was governor to his son, lord James Douglass; and another from the bishop's brother, sir William Sharp his lady: and when he had read them, he said, 'The business is now in the justiciaries' hands, and I can do nothing; but, however, I shall have answers ready against the next morning;' at which time, when Mr. Mathew came, the bishop called his family together, prayed, and desired Mr. Mathew to come and dine with him, and then he would give the answer; then he went to the church, did preach, and inveigh much against the covenant. Immediately after dinner, he gave the answers to the letters, and Mr. Mathew said, that he hoped that his travelling that day about so serious a business would give no offence; to which the bishop answered, that it would give no offence. Then Mr. Mathew went to inquire for his horse, but the stabler's family were all gone to church, so that he could not travel till Monday morning early; and when he came to Buck-

NOTWITHSTANDING their hatred at prelates, presbyterian authors and editors have eagerly availed themselves of bishop Burnet's spiteful malignity against the two archbishops on all occasions, but particularly in the case of the traitor M'Kail. Burnet says—"It came to be known;" Crookshanks—"I am apt to believe;" Wodrow—"I am well informed;" and Kirkton gives it as a mere *report*—that archbishop Burnet went up to court and inflamed the king's mind against the rebels, of which there is not a vestige of proof; and with notable inconsistency, that he brought down a letter from the king to the presidents of the council, forbidding any of the rebels to be executed. The bishop of Sarum says that archbishop Burnet let the executions go on *before* he produced the letter, pretending there was no council-day between. But he who knew the contents of it, ought to have moved the lord Rothes to call an extraordinary council to prevent the execution¹." The bishop is inconsistent in this short narration; for if he was the bearer of such a letter, it was his duty to have delivered it immediately, and lord Rothes was also bound to have obeyed its contents without waiting for the meeting of a council, which had nothing to do with the king's prerogative. Wodrow says, "but the bloodthirsty man [the primate] kept it [the letter] up, till as many as he had a mind should die, were dispatched." This ill concerted fabrication gets more contradictory as it advances, and Crookshanks says, "*I am apt to believe that if* Burnet brought the letter from the king, he delivered it into the hands of Sharp, who wickedly and basely concealed it. But however this was, it appears the king was more humane than the bishops²." Burnet's malignity did not inculcate the primate, but his follower brings him into the plot, with a "well informed," and an "apt to believe;" although another most malignant libeller, as before cited, has incontrovertibly proved that the primate was at that very time living in his own house in St. Andrews. Crookshanks evidently does not believe that there was such a letter, for he says, hypothetically, *if Burnet brought the letter*; but he advances boldly to accuse the primate not only of having received the letter, but also of having "wickedly and basely concealed

haven, the wind being easterly, the fish-boats were coming into the harbour, and he hired one of them immediately, and arrived at Leith in the evening, having sent his horse to Bruntisland. He went immediately to archbishop Burnet, of Glasgow, and delivered a letter to him, who did read it, and then said that the business was in the justiciaries' hands. The next day being Tuesday, Mr. Hew was arraigned before the justice-court, which sentenced him to be hanged at the Cross of Edinburgh, on Friday next."—Note to M'Crie's Edition of Veitch's Life, pp. 35-37.

¹ Own Times, i. 435.

² History of Church of Scotland, i. 220-21.

it." Then, again, his conscience checking him, he admits his entire ignorance of the whole affair; for he says, "*however this was,*" that is, whether it was true or false, whether or not there had been such a letter, whether it had or had not been "*wickedly and basely concealed*" by any one, he cannot tell; only the rumour answered the purpose which Wodrow unblushingly acknowledges was the chief design of his history, of "*exaggerating the crimes of his enemies.*" Kirkton gives the story as a *report*, which he himself does not affect to believe; but the others propagate it as an undoubted *fact*.

I ALTOGETHER DISBELIEVE the existence of this letter. Wodrow was most industrious in searching the public records, which constitute the chief value of his book; and if a letter on which his faction have based so malignant a calumny against the Scottish hierarchy and the government, had really existed, it would neither have been allowed to remain in obscurity nor unpublished. The basest and most malignant lies could not have aggravated their crimes so much as the simple proof of such an unchristian and base action; but this supposititious letter, and the enormous falsehoods which the party have since raised upon it, were weak inventions to divert public attention from the atrocious guilt engendered by the covenant, of deliberate murder and rebellion, and taught to the people by the presbyterian ministers and from the scaffold. This transaction is not alluded to by the authors of *Naphtali* and the *Scots Worthies*, although Hetherington dwells with delight on it, as a *fact* that he thinks cannot be doubted; and to make sure work, he unites the two prelates, and says that "Sharp and Burnet suppressed this letter till after the death of M'Kail; so that they may justly be charged with the cold deliberate murder of that *guiltless youth*, and of violating the most sacred prerogative of the crown, that they might perpetrate the monstrous deed." But Nicol, who is an unimpeachable witness, and who lived at the time, and records daily all the affairs of the period, and particularly the trials and executions of the rebels, does not mention either the fact or even the *report* of such a letter having been received at all, neither before nor after the executions; and he could not have been ignorant of it, had such a letter ever have been received: he says, "they all pretended to die for God and the covenant¹." The author of *Naphtali* lays the whole of the blood of the militant saints at the door of the bishops in general; but he says not a word about this mysterious letter, nor its suppression, although he was a contemporary².

¹ Nicol's Diary, p. 452.

² *Naphtali*, p. 293

THE SEVERITIES which the government found it necessary to inflict on the rebels were the effects not only of this particular insurrection, but of their general conduct and demeanor, which were turbulent and seditious. No government whatever would have overlooked such a rebellion, taken in connexion with a war carried on with a foreign enemy who protected the fugitives and rebels, and through their instrumentality attempted to throw the whole kingdom into open rebellion, and to change the entire government both in church and state, as they afterwards did. The men who suffered were taken on the field of battle, with arms in their hands, and in every country rising in arms is accounted rebellion, whatever may be the pretext. The field preachings were the rendezvouses of rebellion, and the preachers of the covenant were the instigators to all the acts of sedition and treason which occurred; and in this same rebellion they were the ring-leaders; and in fact, had the people been left to themselves, they would have dispersed at Lanark, had not the ministers stepped in with the assurance of a *divine warrant*.

THE MOST UNJUST and unmerited odium was heaped upon all the bishops, but particularly on the primate, who happened for a short time to be at the head of the government during Rothes's absence, for merely doing his duty, and doing it so well and wisely that the rising was dissipated in the course of a week, that might have been increased to such a formidable height as to occasion much more bloodshed. On the return of lord Rothes to his post at the head of the government, the primate's power ceased, and he immediately returned to his diocese; for which we have the evidence of his bitterest enemies. Although not ignorant of this circumstance, yet Naphtali accuses him and his brethren as the "authors and causes of laying on all the burthens upon the people, and grossly tolerating popery." The antichristian principles, schisms, and seditions of the presbyterians, contributed more than any thing else to strengthen the hands of the pope and his followers; because those who might have encountered that enemy to the reformed catholic church, were occupied with the fiery and impetuous zeal of the covenanters. It was therefore natural and most expedient for them to quench the fire in their own house before they went to extinguish the conflagration in their neighbour's, and which, even to this day, has never made any very formidable progress. Some of the burthens of which the covenanters complained most loudly were imposed by the rebel government, carried on by the committee of estates and the commission of the kirk, when there were

no bishops; and the restraints of lawful authority were never so oppressive and tyrannical as those imposed on those loyal subjects whom they called malignants, not only at the direct *instigation* but at the clamorous *demand* of the general assemblies and commissions of the kirk.

THE AUTHOR of Naphtali brings forward a lying accusation against the Scottish bishops, saying "that their only grievance and eyesore is *conscience*, and any measure of tenderness therein: that they are *favourers* and *encouragers* of all profanity, drunkenness, adultery, blasphemy, &c." Yea, he asserts "that the bishops have heaped together, in their own persons, the dunghill of vilest vices, and transmitted the same to others over all the land." The object of these invectives was to stir up the intemperate zeal of some 'anatics to imbrue their hands in the blood of the fathers of the church. And again, he says, "if God had not plagued us with stupidity, and smitten us with blindness, madness, and astonishment of heart, it were impossible that rational men should submit themselves to the yoke of a few insignificant apostate upstarts, and not acquit themselves like men, plucking them [the bishops] out of the sanctuary and the great refuge of loyalty, that in the righteous and deserved punishment of these wicked men both the sin and the backsliding of the land might be sisted, and the wrath of the Lord averted¹." Now, says bishop Honyman, "we could not but be astonished to see a pretended professor of religion so possessed and drunk with a spirit of impudent lying, execrable pride, fierce and bloody cruelty, profane boldness with the majesty of God. Nor dare we be so uncharitable as to think that the party whose advocate he pretends to be will own him in these things, or that they are of the same spirit that he is of; but we rather hope that his unchristian dealing will help to open the eyes of those he pretends to plead for, *to see that his way is not of God*. But as to the bishops and their fellow labourers in the work of the Lord, and the people of God under their charge, as they are not the men who will hypocritically boast themselves, as this man and his party were wont to do, calling themselves *the godly* and *only godly* in the land; yet let the matter be brought to the test, it shall be found that their lives and conversations have been as blameless as those who are judged the best of the proud party (the integrity of their hearts they desire to present to God, being humbled for what is amiss, in hope of his pardon, being thankful for what

¹ Naphtali, pp. 117, 118-301-134; cited in Survey, p. 232.

measures of grace they have received, and praying for new supplies thereof), and they have their witness in heaven how much they regard the heavenly and amiable disposition of a [really] tender conscience, when it may be seen in persons who are of a contrary opinion to them in disciplinary matters ; and how loath would they be to countenance the profane, whom God abhorreth : But they think that there is great cause to tremble, and to lament the dreadfully great hypocrisy of man, and that such a person as this (who is of so tough a conscience that lying, reviling, sedition, murder, rapine, rebellion, and bloodshed, with all confusion, are easily digested by him and commended to others as cardinal virtues and godly christian practices) should dare to talk of a tender conscience.

“ But as to his horrid speech, that ‘ the bishops have heaped together in their own persons the dunghill of the vilest vices, &c. to transfuse it through the whole land,’ who will not be amazed at this fury ? What guard hath the most innocent persons in the world for their reputation and good names, when the press may be so polluted and profaned by casting into it the corruptions of their souls who have *sold themselves* to speak and work wickedly ? Did not such men as these, and all the people of God where they lived, know them before they were bishops ? Were they not in their conversation approved as other ministers, and is there now such a strange metamorphosis that they have heaped to themselves the most vile vices, and transfused them into the people of the land ? Should he not remember, *nemo repente fuit turpissimus* ? Should he not have that much wit as to know that they live among the people of God, who consider their ways, and see in them that christian behaviour that becomes their calling ? And they certainly will think that this railer is talking of men in remote islands in the world, and not of the bishops whom they see walking among them ; or else will think him the most desperate liar who ever put pen to paper. It were easy for us, without forged recriminations, to pay home again this libeller with particular charges against the great pretended sufferers for his cause ; but neither shall persons nor crimes be named, knowing that scandals are too much increased already among the people of God. But seeing no other remedy can be had on earth, this accuser of the brethren is challenged to appear before the dreadful tribunal of God, to give an account of his ungodly and uncharitable speeches ; and as for his stirring up the people against the bishops to destroy them, and to burthen themselves with their blood to the bottom of hell, ‘ they do commit the keeping of their souls and lives to

their faithful Creator, who will appoint them his salvation for walls and bulwarks, and shew them his marvellous loving kindness, as in a strong city;—neither do they doubt but God will do them good for this Shemei-like railing and murdering words; in the meantime they will not cease to pray for repentance and forgiveness to this man, and that God will give them grace to forgive him, and not to retaliate¹.”

THE SPIRIT of delusion by which the authors of Scottish history at the period under review were actuated, shewed itself in the enormity of their lies and exaggerations. One of them having asserted that *four hundred* remonstrators were deprived of their churches on the publication of the Glasgow act, all others have followed the hue and cry. Two falsehoods, however, are embodied in this brief sentence; first, the remonstrators were *not* deprived, for they *deserted* their charges; secondly, the number is nearly quadrupled. The greatest number of those attached to presbyterianism were confined to the two dioceses of Glasgow and Galloway, which comprehended but a small part of the kingdom. The diocese of Glasgow contained two hundred and forty-six parishes, and that of Galloway forty-seven²; and when united, the two dioceses contained only two hundred and ninety-three parishes, and therefore as many ministers. It is very well known that all the incumbents of these parishes did *not* desert their churches; the great majority conformed, and some of them were the former episcopal incumbents that had not been expelled by the presbyterians, and therefore had no cause for desertion. Now I leave it to the consideration of any man of common sense, whether or not it be possible that, out of a body of men that did not amount altogether, including episcopalians, conformists, and presbyterians, to three hundred, there could be a secession of four hundred presbyterian ministers! The number of parishes in the whole kingdom was under one thousand, but the exaggerated account of the desertions amount to nearly the one-half of the whole clergy in it; although those in the two dioceses altogether—episcopalians, conformists, and deserters united—did not amount to one-third of the whole number. In fact, there were not more than a hundred ministers deserted their churches, yet, these having made a trade of religion, and itinerated through the region just named, kept the whole of the south of Scotland in a constant state of rebellion, sedition, and agitation; whilst the rest of the kingdom, which was attached to the episcopal church, enjoyed the most profound tranquil-

¹ Survey of Naphtali, 223-34.

² Vide Keith's Catalogue, *passim*.

lity. These presbyterian deserters were *the greatest enemies* to their country which it ever saw, and were the *cause* of more bloodshed and animosity, more "resistance to the powers that be," of the enactments of more arbitrary and severe laws, and more restrictions on the freedom and enjoyments of their fellow subjects, by their natural spirit of restless, lawless discontent, sedition, and insubordination, than the kingdom had ever known.

GREAT AND UNMERITED odium was thrown on the church and on the government for the imposition of the oath of allegiance on the professors and matriculated students of the universities. But this measure was only a necessary precaution, and the re-enactment of former laws and usages which had been unanimously abrogated during the reign of the covenant, and which was rendered necessary by the multiplicity of oaths which the covenanters had compelled the universities, and, in fact, every private christian, to take, under the most severe penalties both temporal and spiritual. "We, by our act," says the Assembly, "ordain of new, *under all ecclesiastical censure*, that all the ministers of *universities, colleges, and schools, all scholars* at the passing of their degrees, &c. . . . subscribe the same—i. e. the covenant¹." Again, the Assembly of 1648 ordained "that all young students take the covenant at their *first entry* to colleges; and that hereafter *all persons whatsoever* take the covenant at their *first* receiving the sacrament of the Lord's Supper²." It was not, however, the church, but the *government*, that ordained the oath of allegiance to be taken, as a necessary safeguard against the obligations of the covenant, which made every individual a *judge* over both the ecclesiastical and the civil governors of the realm, and laid them under a religious obligation to rebel whenever they imagined *Christ's crown and kingdom* were in jeopardy. In short, whatever were the restrictions or annoyances to which the people were subjected after the Restoration, they flowed solely and entirely from the tyrannical proceedings of the covenanters during the supremacy of that bond of rebellion. Oaths of allegiance are customary in all universities, and it became doubly necessary to take every precaution against the pernicious effects on the minds of the young and susceptible, of an instrument which had inflicted such calamities upon the three kingdoms—the entire prostration of the church, the sale and murder of the king, and the dissolution of the constitution in church and state.

¹ Act of Ass. Sess. 33, Aug. 30, 1639.

Ibid. Sess. 31, Aug. 7, 1648.

CHAPTER XXXI.

THE PRIMACY OF ARCHBISHOP SHARP.

1667.—Troops sent into the disaffected districts.—King's letter to the primate.—Convention of estates.—Covenanters disarmed.—A proclamation.—Quiet sufferings of the clergy—king's letter—attacks on the clergy.—Some executions.—Disposal of the Rullion-green prisoners.—Bond of peace.—Observations.—Hind let loose.—A proclamation.—Naphtali burnt by the hangman.—Council's letter to the archbishops.—Primate's letter to lord Rothes.—1668.—Dalzell.—Trial of sir James Turner—his defence and condemnation.—Bishop Hamilton.—Synodical act against quakers.—Field-meetings.—Burnet's character of the clergy—their sufferings.—Court of ecclesiastical inquiry proposed.—Alarm of the clergy—many resign their livings.—Leighton's advice—a comprehension.—Leighton's proposition—opposed in council.—An attempt to murder the primate.—Mitchell.—The bishop of Orkney wounded.—Mitchell's character.—Council's letter to the king.

1667.—AFTER THE AFFAIR of Rullion-green, general Dalzell and his few troops were sent into Ayrshire, where there were the greatest number of presbyterians; and he established his head quarters at Kilmarnock. If we are to credit Wodrow, he appears to have acted in the capacity of a justice of the peace as well as of a military officer. He was of a stern disposition, and which had been increased by his employment for some years in the service of the Czar of Russia; and Kirkton considers Turner and Bannatyne as "*saints*," compared with Tom Dalzell and his soldiers." But Wodrow having stated, in the commencement of his history, that its fundamental principle was "to aggravate the crimes of their [the presbyterians'] enemies," there can be no reliance placed on any assertion which he or his followers make. Of course the whole reproach of Dalzell's proceedings is laid on the church and the clergy or curates, as the presbyterians called them. Burnet, who had all his information, and the chief materials of the History of his Own Times, from Mess John Welsh, whom he frequently met, after the battle of Bothwell Bridge, at the earl of Arlington's house¹, after detailing all

¹ The Rev. Robert Elliott's Specimen of the Bishop of Sarum's Posthumous History, 1698; dedicated to the Rev. Charles Leslie, p. 3.

the grievances and complaints of that military saint against Dalzell, and all the blackest calumnies against the clergy in Ayrshire, is obliged at last to admit that they were much wronged by those who had crammed him with false information—"if they were not much wronged." And "*It was after all HARD TO BELIEVE all that was set about against them*."¹ Yet he has set down, at the instigation of Mess John Welsh, the blackest character which it is possible to conceive, of men who did their duty conscientiously.

So WELL had the primate conducted the public affairs for the few days that Rothes was absent, and so sensible was the king of his public service, that he wrote the following letter with his own hand:—

" Whitehall, 2d January, 1667.

" MY LORD ST. ANDREWS,

I have received so great testimonies of your prudent carriage in the late transactions for settling my affairs, and how far you have been from foolish jealousies, that I have thought it fit to thank you for it. I am confident you will so continue, and I assure you I shall be your affectionate friend,

" CHARLES R."²

THERE WAS a convention of the estates held on the 17th of January, in which the duke of Hamilton presided. Conventions were different from parliaments; they met upon a summons of twenty days, but could not make new laws; they could only consider the particular subject on account of which they were summoned, grant subsidies or supplies of money, and petition the crown for the redress of grievances. Archbishop Burnet, in a letter to archbishop Sheldon, speaks highly of the general conduct of the duke, who, living in the centre of a disaffected country, yet appeared active in opposing and repressing the late rebellion. The convention continued the former assessment of six thousand pounds Scots per month

¹ Own Times, i. 435, 436, 437.

² THE ORIGINAL LETTER is in the possession of lieutenant-general Bethune, of Blebo, in the county of Fife; who is the lineal representative of cardinal Beaton and archbishop Sharp, and who kindly permitted me to take a copy of it. On comparing the hand-writing with documents in the possession of the late primate, the right reverend Dr. Walker, bishop of Edinburgh, which were known to be in the hand-writing of the "merry monarch," and also of the seal attached, there can be no doubt that the letter is in Charles's genuine hand-writing, which is good and legible, and the paper is about the size of half a sheet of foolscap folded quarto. The seal is of a lozenge shape; on the upper point of which is the crown, at the left corner his cypher C, and at the opposite angle the letter R.

for another year. Although the Dutch war was drawing to a conclusion, yet the turbulence of the western presbyterians and the "vagrant" presbyterian ministers, required the full complement of troops to be kept up, and which were entirely quartered in the two dioceses of Glasgow and Galloway. The other parts of the kingdom complained much that they were burthened with an assessment for the maintenance of troops to be employed in the presbyterian districts, when it was notorious that there was not one soldier quartered north of the Tay, where the people were affectionately attached to the episcopal church, and consequently the country enjoyed profound tranquillity. The Scots privateers had captured a number of the Dutch vessels, which proved valuable prizes, and in consequence they sent a squadron up the Forth under the command of Van Ghendt, to burn the towns on the coast; but he contented himself with firing some shot at the town of Burntisland, on the opposite coast to Leith, and then sailed away, joined Van Tromp, and attacked Chatham. The support of a foreign enemy encouraged the disaffected in the west, and their agitation obliged the privy council to meet often, in order "to restrain some wicked persons that would not be restrained, and all by reason of a foreign enemy¹." It became therefore necessary to proceed with the disarming of the covenanters in the west, to prevent their "drawing to a head."

ABOUT this time the king made some changes in his ministry, and in the general policy of his administration. Rothes was stripped of all his employments, except the office of chancellor. The privy council received a letter from the king, countersigned by Lauderdale, and dated the 12th of March, in which they were commanded—1. To tender the oath of allegiance and the declaration unto such active and leading persons of the disaffected party as they should suspect, and to secure the recusants. 2. To emit a proclamation, requiring all, within the most disaffected shires, to bring in, by a limited day, all arms and powder, under what penalties the council should see proper, always allowing gentlemen to wear their swords. 3. To seize all serviceable horses belonging to disaffected or suspected persons, after being appraised by honest and indifferent persons. 4. To model a militia of horse and foot to join the regular forces, that they might speedily proceed to put the kingdom in a posture of defence. 5. To provide arms and ammunition for the defence of the kingdom. 6. To take effectual course, that every parish secure the *persons of their*

¹ Nicol's Diary, p. 454.

ministers from violence and affronts. And, 7. To give present orders for the criminal pursuit of all heritors or men of estate, all preachers or military officers, who were in the late rebellion, before the justice-general, that they may be tried according to law, and, on being found guilty, be forfeited without delay¹.

THE SIXTH ARTICLE of this letter shews the violence and injustice which the clergy in the disaffected counties suffered from the fierce exterminating hatred with which the covenanters persecuted them; but their complaints have never been heard, amidst the noisy din of presbyterian clamour; and we are assured by Kirkton, that he had "known some profane people, if they had committed an error at night, thought *affronting* a curate to-morrow a testimony of their repentance²." In the proclamation it was declared, "that if any injury or affront be done to their ministers, the parishioners who shall suffer the same to be done, and not oppose the same, shall be reputed as art and part of the same crime and violence." It would appear that the proclamation issued at the time had not had the desired effect in preventing assaults and injuries to the clergy, for the council received another royal letter, of the 4th of May, enjoining proper respect to be shewn to the established clergy.

"WHEREAS, nothing can be more useful for our service or more conducive for reclaiming the people from these treasonable and fanatic principles wherewith they have been poisoned by factious preachers, than the encouraging the sober and orthodox clergy, *against whom the greatest rage* appeared in the late rebellion. And whereas, we are resolved not only to encourage and protect the bishops in the exercise of their callings, and all the orthodox clergy under them, but also to discountenance all, of what quality soever, who shall show any disrespect or disaffection to that order and government: therefore we do more especially and earnestly recommend it to you, who are trusted under us with the government of that our ancient kingdom, to give all manner of countenance and encouragement to the orthodox clergy, and to punish severely any affronts or disrespects put upon them, to the end that they may be the more endeared to their people, when they see how careful we, and all in authority under us, are of their protection in the due exercise of their calling."

THE IMMEDIATE cause of this letter was an assault upon Mr. Patrick Swinton, the parish priest of Borgue, in Galloway, and which was so atrocious that even Wodrow confesses that

¹ Cited in Wodrow's History, ii. 82-83.

² Kirkton's History, p. 161.

he cannot justify it ; and he farther admits that attacks on the houses and persons of the clergy were of nightly occurrence¹. The writer of the epistle to the reader, prefixed to Burnet's Vindication, says—"After a new robbery had been committed on another conformable minister, whose actors no search could discover, some few days had not passed over, when, by a strange providence, one of them was caught on another account by a brave soldier, and being seized, such indications of his accession to the robbery were found about him, that he, to prevent torture, confessed not only his own guilt, but discovered a great many more : most of them escaped, yet three were taken, and had justice done on them, with him who had been their chief leader : and who continued to cant it out highly after he got sentence, talking of his blood as innocently shed, and railing against the prelates and curates ; though before sentence he was basely sordid as any could be. One of his accomplices, who died with more sense, acknowledged, when he spake his last words, that *bitter zeal* had prompted him to that villainy, and not covetousness, or a design of robbing their goods. Yet I shall not conceal what I was a witness to, when a minister of the presbyterian persuasion being with them (for two of them would willingly admit of none that were episcopal), after he had taken pains to convince the chief robber of the atrociousness of his crimes, which was no easy task, he charged him to discover if either gentlemen or ministers had prompted or cherished him in it, or been conscious to his committing these robberies, he cleared all except a few particular and mean persons, who went shares with him²."

ON THE CONCLUSION of the peace at Breda, Charles ordered his small army in Scotland to be disbanded, and a militia to be raised. The council appointed a committee to inquire into the state of the prisoners taken in the late rebellion ; and on the 11th of July they presented their report to the privy council. The committee divided the prisoners into four classes—1, those who were engaged in the rebellion, but *refuse* to take the oath of allegiance and the declaration ; 2, those so guilty, but who were willing to take the oath ; 3, those who had been arrested on suspicion, who denied having taken any active part in the late rebellion ; but who had relieved, assisted, and concealed the rebels afterwards, and who *refuse* to take the oath and declaration ; and, 4, those in a similar condition, but who are willing to take the oath. And the council having

¹ Wodrow's History, ii. 87-88.

² Epistle to the Reader of Burnet's Vindication.

taken the report into consideration, and also his majesty's letter recommending the most guilty to be transported to Barbadoes, they ordained that the prisoners contained in the first class be transported accordingly; and recommended his majesty to pardon those in the second class. The third class to remain prisoners, and those in the fourth class to be immediately set at liberty, after having taken the oath of allegiance and the declaration. His majesty approved of this proceeding. The treasury was put into commission; the earl of Tweeddale and sir Robert Murray were entrusted with the management of affairs, and the question was agitated how the presbyterians could be kept in subordination after the army was disbanded¹. The earl of Tweeddale proposed a bond of peace, which was to be tendered to all suspected persons, and which only required them to give security to the government to keep the peace; and where the party would not find security, their personal bonds and oaths were to be taken. Wodrow is now obliged to confess that "the presbyterians had a considerable breathing;" that is, if they would have been quiet and peaceable, they would have received no trouble from the government; and Burnet boasts, that "even Sharp grew meek and humble; and said to myself, it was a great happiness to have to deal with sober and serious men²." It is to be observed that Burnet always speaks in the most disrespectful manner of those who are not of his politics, whether they be bishops or ministers of state. And this presbyterian administration, whose praises he is perpetually reiterating, were so very *moderate* as not to require the military saints to renounce their covenant; but only to subscribe a bond to keep the peace, and on which they were at liberty to put their own construction; yet so very tender and scrupulous were their consciences, that many of them refused to comply with it.

THE FOLLOWING is the bond of peace, which is plain and simple, and to men who were religiously and peaceably disposed, ought not to have been any stumbling-block; nevertheless, Wodrow and his party considered it most oppressive and tyrannical. That which appears to us of the present day to be the most unreasonable part of it, was to make landlords responsible for their tenants, and masters for their servants; but when the feudal powers of the proprietors of the soil are considered, it was not exacting too much of men who had their tenants at their absolute will. I, A. B. do engage, bind, and oblige myself to keep the public peace, under the pain of a

¹ Wodrow's History, ii. p. 88-89.

² Own Times, i. 443.

year's rent of all and whatsoever lands and heritages pertain to me, to be paid in case I contravene; and also I bind and oblige me that those who are, or at any time hereafter shall be my men, tenants, and servants, during the time they shall be men, tenants, and servants to me, shall keep the public peace, under the pains respective after mentioned to be paid *toties quoties*, if they, or any of them, shall do in the contrary; that is to say, of the payment of the full value of a year's duty, payable to me for the time by the tenant or tenants that shall happen to contravene; and for my servants, in case any of them shall contravene, the full value of a year's fee. Which sums aforesaid, I bind and oblige me, my heirs, executors, and successors, in the case aforesaid, to pay the commissioners of the treasury, treasurer, or treasurer depute, who shall happen to be for the time, for his majesty's use, and consent thir [these] presents be registrate in the books of the privy council.

IT APPEARS strange, that men, who had compelled three kingdoms to *perjure* themselves by taking the soul-destroying oath of the covenant, and who maintain that that oath is still obligatory on the nation, should hesitate to sign a bond which may be tendered by every lawful government to native subjects, and to the obligations of which every man is antecedently bound, whether he take it or not. They make the most deafening clamour against the primate and the other bishops, as if this bond and all other oaths had been entirely imposed by them, and for their sole benefit and support; whereas it was the act of the state, in which the bishops had no participation, and were themselves, as well as all the other subjects, obliged to take this bond. But if we are to believe Burnet, who, however, frequently postponed truth for the purposes of the moment, the primate and archbishop of Glasgow, who only were councillors, opposed the imposition of the bond, but it was resolved on and carried by a majority of the council. The reasons assigned by the presbyterians for refusing it are curious and characteristic, and clearly show that they had studied the maxims of Loyola to some purpose. The author of *Naphtali* asserts "that not only no obedience, but no allegiance, is to be given to any created power on earth but with this *restriction*, in defence of religion and liberty *according to the covenants*." And in another place he explains what he meant by religion, by saying, "the *extirpation* of prelacy is the *main covenanted religious duty*, in the endeavour whereof all the zeal of the faithful should be concerned." This was the doctrine which the presbyterians taught their followers, and which is abhorrent both to religion and common sense, and

which, in fact, was an elevation of every man's private judgment over both the law of the land and the doctrines of the Bible. But the language of Shiells, one of their standard authors, is the best exposition that can be given to their sentiments. "1. That this bond of peace was a confederacy with *God's enemies*, whom we should reckon as our enemies, and *hate* them because they hate Him. 2. This cannot be taken in truth, judgment, and righteousness, because of the fallacy and ambiguity of the terms; for there are divers kinds of peace, some of duty and others not. It must then be peace *rightly qualified*; for we can profess and pursue no peace or confederacy with God's enemies, no peace inconsistent with the fear of God, no peace obstructing the gospel *or our testimony*; no peace prompting to preposterous prudence, in palliating sin, or daubing deflections with untempered mortar; no peace inconsistent with truth, &c. 3. If we further inquire into this meaning of living peaceably, it is plain they mean such a peaceable living as gives *obedience to their wicked laws*, and is a compliance with their established courses; such peaceable living as is *opposite* to their sense of sedition, rebellion, schism, &c.; such a peaceable living as is *contrary to all the duties of our covenanted profession*—as going to meetings, withdrawing from the curates, &c., which, according to them, is inconsistent with the public peace. 4. This is *contrary* to our covenants, by which we are *obliged to a constant contending* with, and *opposition* to, all the supporters of popery, prelacy, &c.¹"

IT MUST HAVE BEEN very difficult to govern men holding and teaching such antisocial principles; for they could neither be reasoned with nor conciliated. The oath of allegiance gave very general satisfaction; and none but the presbyterians refused to take it. All the gentlemen who had been imprisoned either as accessories to the late rebellion, or on suspicion, were set at liberty, and internal peace seemed about to be realised. In October, the council, by proclamation, removed the restriction upon the western counties, in the matter of carrying arms, from all such as took the oath of allegiance, and subscribed the declaration; but declaring, at the same time, "that nothing in this derogates in any way from that part of the said proclamation for the defence of the persons, families, and goods, of ministers." There was also another act of council made public, which also chiefly applied to the western counties, although it was expressed in such terms as might apply to all parts of the kingdom. "The lords of his majesty's council

¹ The Hind Let Loose, pp. 529-531.

being informed that there are many profane persons, who are not only scandalous in their lives and conversations; but being cited before church meetings, to answer for the same, are contumacious, and refuse to appear after lawful citation, to the great contempt of ecclesiastical authority as now settled; whereby open profanity is like to abound and increase, and ecclesiastical government and discipline like to be weakened, and suffer in the exercise thereof: therefore the lords of his majesty's privy council give power and warrant to all magistrates and ministers of justice within this kingdom, upon intimation made by the bishops within their respective dioceses, to apprehend such persons and incarcerate them, until such time as they shall find sufficient caution to compare and answer before the church meetings, authorised by law, as have cited them for such scandals whereof they are or shall be accused; with certification that all such magistrates and ministers of justice who shall refuse to apprehend and incarcerate as said is, shall be answerable before the lords of his majesty's privy council under all highest pains¹."

IN DECEMBER, the council passed an act ordaining the seditious publication called "Naphtali, or the Wrestlings of the Church of Scotland," to be burnt by the hands of that honoured functionary, the common hangman, and all the copies of it extant to be brought in to the nearest magistrates before the first of February, 1668. It is a most seditious and inflammatory book, and one likely to work on the imaginations of ignorant fanatics; and it is an especial favourite of Hetherington, who follows it closely, and says of it, that it has survived, "notwithstanding the impotent wrath of men who hate *the truth*, because it condemns them, and will survive as long as truth is valued, martyrs held in honour, and tyranny abhorred." It did survive the hangman after all, and was reprinted; the copy before me bearing date 1680. A complete refutation was given to it by bishop Honyman, in a work called "The Survey of the insolent and infamous libel entitled Naphtali," small quarto, 1678; and for which his memory has been amply rewarded with the most scurrilous abuse. It represents "the dreadful aspect of Naphtali's principles upon the powers ordained of God, and detects the horrid consequences in practice necessarily resulting from such principles if owned and received by the people." The council also addressed a letter to the two archbishops, calling their attention to an act of council which had been passed in July against papists, and although the

¹ Wodrow's History, ii. 97.

council themselves chose to execute their own laws on the presbyterians, yet they threw the onus and the odium on the archbishops and bishops of prosecuting the popish recusants. Sir Peter Wedderburn, the clerk of council, addressed the following letter to them, dated the 12th December :—

“ MOST REVEREND,

“ By an act of council of the penult of July last, it was ordained that a list of the haill papists in every parish within the kingdom, should be made by the minister of each parish where they live, and be returned to the council before the second Thursday of this instant, which is now elapsed : and finding that the care of the business, which is so important, is recommended to your grace, as to all parishes and bishopricks within your diocese [province], the council has recommended to me to give you notice hereof, that a speedy return may be made, that accordingly they may proceed to the execution of the acts of parliament made against papists ; and in order thereunto, what commands your grace shall think fit to send shall be obeyed by your grace's most humble servant,

“ PET. WEDDERBURN.”

WITH HIS USUAL inattention to veracity, and his never-ceasing malignity against the primate, Burnet asserts that Rothes was commanded to write to Sharp, as he always respectfully calls the primate, to order his grace to confine himself to the education of the young duke of Gordon. Burnet having his information from Mess John Welsh, was here altogether misled, for at that very time, instead of being confined to his diocese, he was at court, from whence he wrote to Rothes a long and friendly letter, reproving his vices, and showing that his political enemies had represented to Charles that his lordship was unfit to prosecute the king's service, on account of his dissolute and lascivious life, which it was said was wholly given up to follow his pleasures, “ caring for none, and being intimate with none, but such kind of persons who are without brains or morality, whom you keep always about you for drinking, carding, dicing, and w ——g ; so that your family and way gives the example to all looseness throughout the country.” From such representations as these, Rothes had fallen under Charles's displeasure, and was stripped of all his offices, except that of chancellor, which had been conferred on him for life. According to the fashion of the times, Rothes was not a man of strict morality ; but it is evident, that much that Burnet, Wodrow, and Mess John, have said of his immo-

ralities, have been grossly exaggerated; for the primate, in his letter, contradicts the statements that had been made to the king, and circulated in the court, respecting his dissoluteness of life. The archbishop continues:—"Finding that these suggestions were made of you, I thought it was fit for me, upon Monday morning, to speak to the king. . . . I did justify you to my lord Canterbury, of whose fidelity and friendship to you I can give you assurance. Having taken my lords of Athole and Stormont to dine with him yesterday at Lambeth, he entertained them very kindly, and said to them at table, that by the account I had given him, he found that the king's commissioner for Scotland, his noble friend, had done the part of a faithful minister to his master; and having called for a glass of sherry, he pulled off his hat, and drank out to your grace's health, and made it go round the table, all being uncovered¹." It cannot be supposed that two archbishops, and one of them his intimate friend, could be deceived in the character of Rothes, if that nobleman had been the infamous debauchee which he is represented to have been by Wodrow and his worthy compeer, Gilbert Burnet, bishop of Sarum. As for Wodrow, he and his editor have had the unblushing effrontery to publish, in the introductory part of his history, that one particular object of it was, to blacken and malign his enemies, amongst whom he classes all the members, high and low, of both the government and the hierarchy, and therefore he has proclaimed himself unworthy of credit. Of Burnet's motives he himself gives us the clue; and Dr. Cockburn says, "this author [Burnet] plainly intimates that his severity towards those of his [own] profession proceeded from *resentment* 'of the peevishness, ill-nature, and ambition of many of them;' and also is conscious, that 'his spirits might be too much *sharpened* against them, and so he [Burnet] warns his reader to take what he saith on these heads with some grains of allowance; and, indeed, there is all reason to read this history [of his Own Times] not only with *some*, but with *many and great* grains of that kind²."

1668.—THE EARL OF ROTHES seems to have been the object of much of the presbyterian hatred at this time, on account of his firm administration of the government, and of his friendship with the primate. The earl of Tweeddale brought a letter to archbishop Sharp from his majesty, written with his own

¹ Note to Kirkton's History, 261, 262; cited in the author's Life and Times of Archbishop Sharp, 369, 370.

² A Specimen of some Free and Impartial Remarks, &c. p. 72.

hand, in which he assured his grace of his zeal for the church and of his favour for himself. Tweeddale sent a commission into the west of Scotland, to inquire into the alleged oppressions, &c. of general Dalzell; and to disgrace him he ordered sir James Turner to be tried by court-martial early in this year, in the hopes that he would cast odium upon the conduct of Rothes and archbishop Burnet during the late rebellion. Of Dalzell archbishop Burnet says, in a letter to archbishop Sheldon¹, that however his enemies may represent him to his grace or to the king, he is the only person he ever saw who was fit to curb the insolencies of that surly party; and that if his counsel had been followed, he himself is confident that the kingdom had by this time been in a very happy and quiet condition. In another letter the archbishop calls him a very rough, but a very honest man.

A SPECIAL commission sat, by order of the king, to try Turner for alleged misconduct during his command in Galloway, and for suffering himself to be surprised and captured by the rebels in Dumfries. He was accused of having quartered soldiers for levying the fines—of having exacted cess for more soldiers than were actually present—of having fined those who lived orderly—of having fined fathers on account of their daughters having had their children baptized by outed ministers. It must have been their illegitimate children, else why were not the husbands fined instead of the fathers of the damsels?—of having fined whole parishes indiscriminately—of having fined one who had lain a year bedfast—of having taken away cattle, &c.; but there is not a word of his having intended to broil a poor man on a red-hot gridiron, although all the accusations were sworn to by presbyterians in Galloway. Sir James was unable to make a complete defence, in consequence of all his papers, and particularly his instructions from the privy council, having been taken from him by the rebels; but he denied the truth of the allegations against him, as being altogether false, or as having been most grossly exaggerated by interested parties. "And as to his surprisal," he says, "1. He had *but sixty foot* in those parts under his command. 2. That they were all dispersed through the country about the fines; so there was not so many left with him as to keep guard at his lodgings; nay, not so much as one soldier before the gate. 3. That he had no order to keep a guard about him, or to fortify himself, although there be a strong house within the town, called the castle, to which he might have retired with

¹ August 9, 1667, editor's note to Burnet's *Own Times*, i. 447.

some *thirteen soldiers*, who came in that night before he was taken. 4. That he had intelligence there was a rising in the country, and that a corporal of his was wounded by a shot; who told him there were divers persons got together, who had intelligence from the north of a rising there, with an intention to march to the citadel of Ayr, and to seize the citadel and the arms which had been taken from the country. 5. That about midnight he wrote to general Maxwell, of Munches. 6. He sent orders to move off his soldiers, to meet the next morning, but being indisposed, lay down, and when up in his night-gown, about eight of the clock, he was surrounded and taken¹."

BURNET alleges that "this enquiry was chiefly levelled at lord Rothes and [archbishop] Burnet, to cast the odium of the late rebellion on their injustice and ill conduct, and it was intended that Turner should accuse them." If such were the intentions of the new presbyterian administration, they were completely disappointed, inasmuch as there was no evidence whatever to inculpate them, and sir James's instructions had been seized by his captors. Sir James was merely an official servant, whose duty it was to levy those fines which had been imposed by the parliament and the king's government. But of whatever severities some individuals might have had cause to complain, it is perfectly evident to any unprejudiced mind, that *sixty men*, which was the numerical amount of his *army*, could not have committed either very grievous or extensive oppressions in a district comprehending five large counties, and in which, in the course of a few days, upwards of three thousand valiant men, that drew sword, were collected without any effort or even tuck of drum. This is one out of many specimens of the enormous exaggerations of which the presbyterian historians have been guilty, in order to prop up the cause of the Covenant, and to "aggravate the faults of their enemies." There was no case against Turner sufficient to have condemned him; but to soothe the irritated feelings of the presbyterians, he was cashiered, and declared incapable for ever after of serving his majesty; a sentence which the king confirmed. The court had no sooner broken up than some of those who had been engaged in the late rebellion had the generosity to send his papers and instructions, carefully sealed up, to his lodgings; but it was then too late to make use of them, (so says Burnet,) "since the government had used him hardly, he, who was a man of spirit, would not show

¹ Wodrow, ii. 102.

his vouchers, nor expose his friends. So that matter was carried no farther."

Wodrow makes a most malignant attack on the bishop of Galloway, and says he compelled Turner to exceed by far the severity of his instructions and his own inclinations, in order to gratify his lordship's cruel and bloodthirsty disposition; which is a direct falsehood, inasmuch as the bishop's biographer asserts that he had no communication whatever with Turner. Wodrow is of course very liberal in the use of scurrilous epithets against the bishops, in answer to which his biographer says,—"Very hard names; a betrayer of the liberties of the kirk, an obliger of an officer who knew so very well his duty as to execute it with rigour, to go beyond his inclinations, severe, cruel, and an apostate too. Might not one be induced to think that Mr. Wodrow had now altogether lost his christian charity, and with that, St. Paul's precept, 'Let each esteem others better than themselves;' malice, perverse lyeing, and backbiteing, are downright contradictory to the spirit of christianity; and the vermine who not only use, but avowedly print them, should be looked upon by all good and honest men as the cankers of society, and the shame of any religion whatsoever, only fit for a common stage, but in no wayes for the pulpit.

"As for Mr. Wodrow's terms of childish obligations upon sir James Turner, (considering that gentleman's character,) they must be very stupid. For my own curiosity, I have gone through the bishop's letters, notes, and papers, and I now declare that I cannot see one word about him; which must oblige me to believe, considering the bishop's exactness, that he and sir James were very little, if at all acquainted¹."

EARLY IN JANUARY the council received orders from the king to send up a report of all those who had signed the bond of peace in the several counties, also of those who had refused or neglected to sign it. In his letter he recommended to the special care of the council the preservation of the public peace, and the maintenance of the ecclesiastical government in its integrity; but above all, "to restrain the gatherings of the people to conventicles, *which are indeed rendezvouses of rebellion*; and to execute the laws severely against the ringleaders of such faction and schism." In their reply, on the 27th of February, the council reported that the bond of peace had been generally signed; of those that had been accessory to the late rebellion, 218 had accepted his majesty's indemnity,

¹ Account of the Family of Broomhill, 4to. pp. 54-56.

and 300 had refused it. For the further security of the peace of the kingdom they proposed—1. That a proclamation be issued, discharging all persons who would not sign the bond of peace from wearing any kind of arms, and from keeping any horses above the value of twenty pounds Scots. 2. That a further time be granted for persons to come in and accept of the indemnity, by signing the bond required. 3. That his majesty might give warrant for a proclamation, wherein the names of all such of the rebels as shall not then take the bond may be inserted, and power may be granted to the magistrates to apprehend them; and that all who receive or harbour them may be declared rebels. And finally, that they can do no more against conventicles than to see the laws put in execution¹.

Wodrow makes many and lugubrious complaints that the laws were not put in force against papists and quakers, but entirely against the meek and obedient presbyterians; whereas, in April of this year, it was found necessary to interfere with the liberties which the quakers took by insulting the clergy and brawling in their churches, by a synodical decree entitled *Quakers in Mearns*. "The lord archbishop and synod being informed that in the Mearns in the parish of Fetteresso are kept several conventicles, and that some of these persons interrupt some ministers in the time of public worship, and that they speak reproachfully of ministers, the pastors there are advised to be diligent in watching over their flocks and guarding them against these errors, and wait till a course be taken by the magistrate with these disorderly persons²."

THE COUNTRY now had become much more tranquil, and would have remained so, but for the correspondence and mischievous instigation of the refugees in Holland, who used every effort to dissuade the covenanters at home from signing the bond of peace. The covenanters now also thought themselves secure under the protection of a presbyterian or whig administration, who made it a part of their policy to represent the persecuted episcopal clergy as men of scandalous lives, and who they said actually led the soldiery into the most infamous debauchery. And the method, if we may believe Burnet, which sir Robert Murray proposed, of turning them all out of their livings, is such an expedient as perhaps never was before conceived by any one professing to maintain church principles. This new obstacle to the peace of the kingdom occasioned the revival of some of the former severities against

¹ Crookshanks, i. 264.—Wodrow, ii. 106-8.

² Records of the Presbytery of St. Andrews, cited by Rev. C. J. Lyon, ii. 90.

the non-conformists and those who frequented conventicles, and the earl of Linlithgow, who commanded the forces, was ordered to suppress all field meetings; and as Lauderdale at London wielded all the executive power, he made the council proceed against the intractable covenanters with as much rigour as if no indemnity had been granted. The magistrates of burghs were obliged to prevent all the meetings of illegal conventicles within their jurisdictions.

SIR ROBERT MURRAY made a journey through the presbyterian districts, and his ears were ever open to the tales of interested parties, in their open accusations and private insinuations against "the curates," but who were a class "much more sinned against than sinning." Burnet says, "when he came back, *he told me*, the clergy were such a set of men, so ignorant and so scandalous, that it was not possible to support them, unless the greatest part of them could be *turned out*, and better men found to be put in their places¹." If any credit may be given to this accuser of his brethren, he seems to have been the depository of all the secrets of all the statesmen of his own times; but the fact is, that this infamous and false character of his brethren was communicated to him by his dear friend Mess John Welsh, only his vanity made him place the name of sir Robert Murray before his *he told me*. Before Burnet had formed Mess John's acquaintance, and while he lived at Glasgow and had an opportunity of witnessing the sufferings of the episcopal clergy in that diocese, he gives a very different account of the persecution which they suffered, and which invalidates that which he says Murray told him. He then said, "And what instances of this nature [of persecution] these few years have produced, all the nation knows. How many of the [episcopal] ministers have been invaded in their houses, their houses rifled, their goods carried away, themselves cruelly beaten and wounded, and often made to swear to abandon their churches, and that they should not so much as complain of such bad usage to those in authority? their wives also escaped not the fury of these accursed zealots, but were beaten and wounded, some of them being scarcely recovered out of labour in child-birth. Believe me, these barbarous outrages have been such that worse could not have been apprehended from heathens. And if after these I should account the railings, scoffings, and floutings which the conformable ministers met with to their faces, even on streets and public highways, not to mention the contempt that is

¹ Own Times, i. 452.

poured out on them more privately, I would be looked on as a forger of extravagant stories. But it is well I am talking to men who know them as well as myself. From these things I may well assume that the persecution lies mainly on the *conformists' side*, who, for their obedience to the laws, lie thus open to the fury of their enemies. . . . But let me tell you plainly, that the constant concealing of these murderers, whom no search which those in authority have caused to make could discover, though the robbers carried with them often a great deal of furniture and other goods, which must have been conveyed to some adjacent houses, but could never be found out, after so many repeated facts of that nature, forceth upon the most uncharitable a suspicion I love not to name¹." Notwithstanding this true representation of the western whigs, Burnet calls the men who were defeated at Rullion-green "*a poor harmless company of men, become maa by oppression!*"—and he accused the government of the greatest cruelty for executing some of the most notorious of these harmless saints. Nevertheless, in the midst of his abuse of the bishops and clergy, the force of truth compels him to state that they put the whigs into greater personal danger from kindness and over repletion, than they had experienced from the sword on the field of battle. "Is it not sufficiently evident that these saints were in a conspiracy with their brethren of Rotterdam and England [the late Dr. M'Crie has confessed it], and in a confederacy with the Dutch and even with the French papists, to promote an invasion and rebellion, and make their native country a scene of blood and desolation; and this at a time when the plague was raging amongst us, when we were engaged in war with three potent enemies—the Dutch, the French, and the Danes—and when the metropolis of the three kingdoms lay in ashes? If these circumstances were not a high aggravation of their sedition and rebellion, and these hardened rebels could by any figure be termed a poor harmless body of men,' notwithstanding the endeavours of our author to cast a mist before our eyes, I appeal to all mankind. And surely nothing but a very strong propensity to the *good old cause* could have induced him to declare so strenuously in favour of the sons of anarchy. He seems to have drunken with his mother's milk a fondness for sedition, and an implacable enmity to monarchy and episcopacy; however, the wolf came afterwards to put on a shepherd's clothing, and accept the pastoral staff²."

¹ Vindication of the Church and State of Scotland, in Four Conferences, 290, 291.

² Salmon's Impartial Examination, i. 587.

THE TRUTH IS, that the presbyterians have had all the sympathy and all the advantage of history on their side, and the sufferings of the episcopal clergy have never been heard of, owing to their principle of passive obedience, and bearing their cross with meekness and submission; whereas the presbyterian outrages brought down the vengeance of the insulted laws upon the perpetrators, and obliged the government to occupy their district with troops, to repress their principle of resistance to all lawful government, and which has hitherto been dignified with the name of persecution. In consequence, they have been vociferous in accusing the king and his ministers, but above all the Scottish bishops, of the most unchristian persecution (with which, however, the bishops had nothing to do), for only doing their duty in suppressing sedition and open rebellion; and protecting the episcopal clergy in the western counties from the most cruel persecution, which the presbyterians inflicted on them. In a letter written about this time to Dr. Sheldon, archbishop Burnet informs him that the clamours against the military are very great, but *very unjust*; "but I am afraid greater *upon design*; and I am sure, if those who command the militia vindicate not themselves to his majesty's satisfaction, I shall not plead for them. Our ministers *who are loyal*, and own the present government, will be *forced*, for what I see, *to desert their stations*; several of them have been *robbed and sore beaten, and some wounded*. The council is now considering what will be the best and most effectual remedy against the anger and fury of those *merciless rebels* who, in the army's absence from the west, range up and down the country in small parties¹."

THE GOVERNMENT actually proposed to erect a court ecclesiastical, to be constituted by special commission from the king, and to be composed of clergy and laity, to inquire into what was supposed to be the scandalous lives of the clergy in the diocese of Glasgow, and thereby to take the power out of the hands of the archbishop. Both the primate and the archbishop of Glasgow made the most strenuous opposition to this proposition, as the most barefaced erastianism, which struck at the very root of episcopal authority. Archbishop Burnet said it was tantamount to deposing him from his office and turning him out of his diocese; while the persecuted clergy were in the utmost alarm at their being summarily handed over to the tender mercies of the covenant, and to the implacable rage of

¹ Note by editor of Burnet's Own Times, i. 453.

their avowed enemies and persecutors, who, upon such open encouragement, would swear to any thing, true or false, against them. As they had *created* and circulated these false reports of immorality, ignorance, and insufficiency, against them, they would naturally support them by hard swearing; for, true to their original, it was with them lawful to do evil that the good which they sought might come. The only point of safety on which the clergy could, humanly speaking, calculate, was the inveterate prejudice of the presbyterians against the episcopal order; for to accuse the clergy and to give evidence against them before a bishop or in his court, was in their opinion to acknowledge his title and jurisdiction, and to homologate, as they called it, his power. This they were not likely to do; and therefore some prospect of safety arose from that quarter; and besides, a jealousy broke out betwixt Lauderdale and sir Robert Murray, which occasioned a jarring in the council, and with the other difficulties that arose from the opposition of the archbishop of Glasgow and his clergy, made this erastian usurpation be laid aside.

A CHANGE of ministers had made some change in the management of the presbyterians; the rigidity of the law was considerably relaxed, for lords Tweeddale and Kincardine were inclined to the presbyterians in their hearts; in consequence, the insolence of that body increased, and their persecution of the episcopal clergy was so much augmented that their victims began to despair of receiving protection from the government. They began to suspect that sir Robert Murray's threat of turning them all out would be carried into execution; and in consequence of their fears and their actual sufferings, many of them resigned their livings, and repaired to the north of Ireland, where they hoped to be more happily settled. Burnet betrays his malice here by asserting that no proof could be found amongst the episcopalians to convict the clergy; they hung so closely together that none of them would give evidence against another; which is a mere pretence, to give some colour to the council's project of appointing a commission of inquiry, to be composed of the clergy's most inveterate enemies. If the crimes of which Burnet and Wodrow accuse them had been true, and so notorious as they allege, there would have been no scarcity of witnesses even amongst the soldiers, whom they said the clergy led on and encouraged in their debauchery. There was, however, a design in thus misrepresenting the clergy, to give the covenanting saints a colourable excuse for using them with so much barbarity, and to compel them to fly the country in order to make room for the

rebel preachers who were itinerating and collecting field conventicles. It is, therefore, not surprising that the clergy should feel alarm at this presbyterian commission, and at the withdrawal of the protection of the civil government, which induced many of them to fly to Ireland rather than to remain among a rabble of fiery zealots, who were to be licensed to plunder and assault them without restraint. If they suffered such barbarities from the presbyterians when they enjoyed the protection of the civil power, as we have before cited from Burnet, what calamities must they not have expected when it was not only proposed to withdraw that protection, but the magistrates themselves were to be united with the furious mob in their persecution¹. The council seemed to have thought that ecclesiastical government was a matter of expediency, without any respect to the several portions of the flock of Christ that was committed to each particular bishop; and therefore Tweeddale endeavoured to engage bishop Leighton in his interest, by whose agency he thought to plant a set of men in the diocese of Glasgow, after he had turned out all the episcopal clergy, that would be more complying with the will of the council, and more latitudinarian in "homologating" either episcopacy or presbytery, according as the inclinations of the people might predominate. He sent Leighton to London to possess the king with this idea, where, if we may believe Burnet, who says, "*he told me* he had two audiences of the king, he laid before him the madness of the former administration of church affairs, and the necessity of turning to more moderate councils: in particular he proposed a *comprehension* of the presbyterian party, by altering the terms of the laws a little, and by such abatements as might preserve the whole for the future by granting somewhat for the present. But he entered into no expedients; only he studied to fix the king in the design that the course of his affairs led him to, though contrary to his own inclinations, both in England and Scotland²."

IN THE PROSECUTION of their crotchet for a comprehension, neither Leighton nor Tweeddale seem to have ever thought of consulting either of the archbishops, but to have prosecuted it after their own fancy; only Burnet has not forgot to say that Leighton "made no step without talking it over *with me*." He adds, a "set of hot, fiery, young teachers, went about among them [the presbyterians in the western countries], inflaming them more and more; so it was necessary to find a

¹ Salmon's Impartial Examination of Bishop Burnet's History of his Own Times, i. 591-92.

² Burnet's Own Times, i. 444.

remedy for this." Leighton proposed a treaty for the accommodation of the existing differences, and for changing the laws which upheld and protected the episcopal order. "He saw both church and state were rent; religion was like to be lost; popery, or rather barbarity, was like to come in upon us; and therefore he proposed such a scheme as he thought might have taken in the soberest men of presbyterian principles; reckoning that if the schism could be once healed, and order be once restored, it might be easy to bring things into such management that the concessions there to be offered should do no great hurt in the present, and should die with that generation. He observed the extraordinary concessions made by the African church to the Donatists, who were every whit as wild and extravagant as our people were; therefore he went indeed very far in the extenuating the episcopal authority; but he thought it would be easy afterwards to recover what seemed necessary to be yielded at present¹." Leighton proposed to gain the presbyterians by concessions, a policy which cost the first Charles both his crown and his head. He proposed the uniting of presbyters with the bishops in the church courts, and that the bishop should only act as the chairman or president, which is exactly what the puritan-papists proposed in the beginning of their schism; and that all causes should be determined, both in matters of jurisdiction and ordination, by a majority of the presbyters, without respect to the bishop, who was to have no negative voice. He proposed that the laws should be altered to correspond with this scheme. He also thought it more decent to ordain all incumbents at the parish church where they were to serve, after solemn fasting and prayer, rather "than to *huddle it up* at their cathedrals with no solemnity, and scarce with common decency." This is a silly innuendo, for Knox and his coadjutors left the Scottish bishops few cathedrals in which to *huddle up* their ordinations—an expression that smells rank of Mess John. Those who were to be ordained were to be at liberty to declare that they looked upon the bishop only as the head of the presbyters: and a treaty was set on foot to try to persuade the presbyterians to accept of these conditions.

ACCORDING to bishop Burnet's description of the bishop of Dunblane, he seems to have been a good specimen of a Pharisee; for he stood aloof from all his brethren, as being more holy than they were, and too pure to associate with them. He seemed to resent the independence of the primate

¹ Own Times, i. 502-508.

and the other bishops, because they would not submit to be ruled and directed by his councils in this business of the accommodation; so that under all the external appearance of humility and self-denial with which Burnet has invested his character, his ambition may be discovered. His enmity to the primate and his brethren was increased by their firm opposition to his crotchet of establishing presbytery with the retention of a nominal episcopacy; and this seems only the maturity of his early education, for the author of *Zion's Plea* had carefully educated his son, as Burnet observes, to a perfect hatred of the church,—“that he was bred up with the greatest *aversion* imaginable to the whole frame of the church of England¹.” This may be called an accommodation; but it appears rather an attempt to presbyterianise the church by a side wind. The laws for the protection and establishment of the church were to be repealed or altered, to accommodate the presbyterians; and to depress and insult the episcopal authority the church was to yield up all her rights, the bishops were to retain little more than the name, and, in effect, presbytery was to have been established by law. “If,” says Mr. Salmon, “our author has not sufficiently demonstrated himself to be a presbyterian in *heart*, though not in *habit*, let the impartial world judge: nor will any man hereafter surely wonder to find all the lies and calumnies forged by the presbyterians, of the sons of episcopacy, collected and published to the world in this posthumous work [*Own Times*]; and had our author not forgot himself sometimes, and discovered the *weakness* of the brethren, we should have soon seen this precious collection of calumny and slander preferred to the bible itself by that censorious sect².”

LEIGHTON was very desirous that a treaty should be entered into upon the basis of the ACCOMMODATION, as it was called; but the earl of Kincardine opposed any treaty, because “they were a trifling sort of disputatious people, that loved logic and sophistry.” He proposed, therefore, to carry *concession* as far as it was reasonable or expedient, and to pass a law accordingly, when he supposed the presbyterians would submit when they could not help themselves. In this proposal Leighton fully agreed; but Lauderdale would not give his concurrence, and as for the hierarchy and the body of the clergy, it was never considered necessary to ask their consent, or even their opinion. Lauderdale is represented to have said—“a law that did so entirely change the constitution of the church, when it came

¹ Burnet's *Own Times*, i. 502-508.

² *Impartial Examination*, i. 594.

to be passed and printed, would be construed in England as a pulling down of episcopacy; unless he could have this to say in excuse for it, that the presbyterians were willing to come under that model¹. Tweeddale proposed to grant leave to some of the outed ministers, by an act of the king's indulgence, to go and serve in those parishes that were vacant; but this was opposed by Leighton, who thought nothing would bring the presbyterians to treat so much as the hopes of being again suffered to return to their former benefices; but if once they were admitted they would reckon it a victory, and grow stubborn.

BUT THIS ACCOMMODATION was interrupted in its progress by the attempt of a presbyterian preacher to assassinate archbishop Sharp in the street². The name of the intended assassin was James Mitchel, whom Wodrow represents as a "good youth," and "a preacher of the gospel, and a youth of *much zeal and piety*;" who had shewn his piety by joining the rebels and acting in their service in the Pentland rebellion, and in consequence he had been excepted from the indemnity. He had gone to Holland after the defeat of his friends at Rullion Green, and remained there for some time, "nursing his wrath to keep it warm;" "having *not yet* laid down arms, and taking the archbishop of St. Andrews to be the main instigator of all the oppression and bloodshed of his faithful brethren, took up a resolution in 1663 to dispatch him." It was not, therefore, a sudden impulse, but a *deliberate intention to commit murder*, taken up as a *principle* of religion, nourished and brooded over for the space of five years; and this great sin, which they called by the delicate names of an incident, and an accident, was the genuine fruit of the covenant, which binds its followers to *extirpate* all bishops by the sword. On the afternoon of Saturday the 11th of July, the primate and the bishop of Orkney went out together from his brother's house, which was situate in the High-street, at the top of the Blackfriars Wynd, or Lane; and the archbishop had taken his seat in his coach, and was in the act of distributing some alms to the mendicants who had crowded round it. Just as bishop Honyman took hold of the door to assist himself into the carriage, he received the contents of the *pious* Mitchel's pistol in his arm, which broke it, and caused his death a few years after-

¹ Burnet's Own Times, i. 505-506.

² Burnet calls this crime "a strange accident,"—Kirkton, "an unhappy accident,"—Wodrow, "an unhappy incident,"—Dr. Burns, his editor, "the accident,"—Crookshanks, "the attempt—this accident—and the righteousness of Providence,"—and Hetherington, the last presbyterian authority, calls this atrocious attempt at murder "an incident."

wards. The shot was designed for the primate, for whose appearance Mitchel had been waiting for some time; but it seems strange how one so near as to be close at the side of the carriage should have missed his aim, unless he had been unacquainted with the person of his victim, and had mistaken the bishop of Orkney for the primate. Mitchel ran down the lane, and into another, where he changed part of his dress, and immediately afterwards coolly mingled with the crowd in the High street; but the archbishop had got a distinct view of the assassin's features before he ran off. Wodrow and his copyists treat this execrable action with the most disgusting levity, which shows that their consciences have been so seared by the infernal obligations of the covenant, as to verify our Lord's prophesy that the time would come when it would be thought good and acceptable service to God to murder his servants. "The cry arose, a man was killed; and some rogues answered, *it was but a bishop*, and all was calmed very soon!" And it is even insinuated, as a circumstance betokening the fears of a guilty conscience, that "the two bishops made all the haste they could to the house where they had been¹." It would have been singular stoicism if they had done otherwise, when one of them received a mortal wound, which all the surgical skill of that period was never able to cure, and which caused his death some years afterwards; for Keith says it affected his general health, and the bullet was poisoned¹.

BURNET exhibits his implacable hatred at the archbishop, by stating falsely that "he was so generally hated that nobody endeavoured to apprehend the villain;" and then he says he thought it but decent to go and congratulate him on this occasion, and the primate put on a *shew of devotion*, and said, with a serious look, "My times are wholly in thy hands, O thou God of my life;" but this, he adds, was the single expression savouring of piety that he ever heard fall from him. And even this solitary expression would not have been recorded, had it not been for the purpose of defaming the primate, and insinuating that he was neither a religious nor a moral man; but considering the ill opinion that the primate entertained for him, evinced upon his trial for libelling the whole bench, and his own hatred against Dr. Sharp for declining to intercede for his uncle, the arch-traitor Johnston, and for refusing his impertinent advice, it is not reasonable to suppose that the primate

¹ Wodrow, ii. 115-116.—Burnet's Own Times, i. 508.—Crookshanks, i. 268.—Hetherington, 139.—Skinner, ii. 471.—Keith's Catalogue.—Scots Worthies, 304.—Salmon's Examination, i. 620.

would be on such intimate terms with Burnet as he wishes to be believed. But neither the primate's innocence nor character could screen him from the bishop of Sarum's malignity, nor "the inhuman designs of the sons of Belial, who thought if they could once destroy *him*, his *order* would also follow." We shall again meet with the "*pious*" Mitchel; meantime his character may be noticed, as a specimen of what that party reckon piety and zeal. He studied at the university of Edinburgh, where he took the degree of master of arts in 1656, and took the covenant at the same time, administered by the hands of Leighton, the principal; but was refused a license by the presbytery of Dalkeith on account of his ignorance. After the Restoration, some of the presbyterian brethren in Galloway licensed him, and he exercised his vocation among them for some time. He was recommended to the laird of Dundas as a private tutor and domestic chaplain, where it was discovered that he had entered into an adulterous commerce with the young wife of the aged gardener. In consequence he was dismissed, and he afterwards lodged in the same house, and associated with the execrable major Weir, who was pilloried for unnatural crimes. He now frequented conventicles, and preached up the covenant, and was introduced as chaplain by Weir to a niece of sir Archibald Johnston, and the cousin of bishop Burnet, who was one of the greatest fanatics of that time, from whose family he joined the rebels at Pentland. Having been proclaimed a traitor he made his escape to Holland, where he remained till he came home to "dispatch" the archbishop¹.

A PRESBYTERIAN author calls this cool, deliberate, and long-intended attempt at murder, "*the righteousness of Providence*," which marks their sympathy with the vile assassin, who is reckoned to this day one of their "worthies," and even a martyr. The privy council assembled immediately, and issued a proclamation for the assassin's apprehension, after which they addressed the following letter to the king to acquaint him with the dreadful assault on the two prelates.

"MAY IT PLEASE your sacred majesty,—As it hath not been our custom to give your majesty any unnecessary trouble; so we could have wished that the wickedness of a desperate fellow had not given occasion to us in duty to acquaint your majesty with that which we know will not be pleasing to you, and which we and all honest men do abominate.

¹ Scots Worthies, 303.—Ravillac Redivivus.

"Saturday last, in the evening, as the archbishop of St. Andrews and bishop of Orkney were going abroad, the archbishop being in his coach and the other stepping up, a wicked fellow standing behind the coach, did shoot the bishop of Orkney beneath his right-hand, and broke his left arm a little above the wrist, with five balls, and immediately crossing the street, went down a lane and escaped, there being no person near at the time but those who were so taken up about the bishop of Orkney, that they could not observe the person, nor whither he went. That same night all possible search was made both within and about the town, and this day a proclamation was issued forth for the discovery and apprehending of him, whereof a copy is sent to your secretary to be presented to your majesty, whom we shall acquaint from time to time, &c.¹"

THE CONDUCT of the covenanters, even as it is displayed by the versatile bishop of Sarum, was such as might convince any man that they were not to be gained by concessions. The government, in the spirit of erastianism, offered to concede to them the point of ordination, and to relieve them from episcopal jurisdiction, to break the statute law, and put them into the vacant livings, upon the simple condition that they would refrain from preaching against episcopacy, and from administering the sacraments to the inhabitants of other parishes without the permission of their several incumbents. But these restrictions were reckoned such insupportable grievances, such soul-destroying conditions, that even the temptation of a good benefice could not at first overcome their spirit of contradiction, so as to bring them to enter cordially into a treaty; and Burnet assures us that "none of them would engage to observe *any limitations whatever*." Upon this occasion the words of the jesuit Lysimachus Nicanor are very applicable—"The next point, he says, is *detractatio imperii*; this you have done excellently, by not only refusing obedience to his [the king's] laws, civil and ecclesiastical, and to his proclamations, but also by continual protesting against him, and exhorting all to stand to the covenant. You have also kept your councils of war, provided armour, laid taxation on the people to defray the charges; and the king is *publice hostis declaratus*, publicly declared to be your enemy by the ministers, pressing them to arms by your learned informations . . . and lastly, you are

¹ Acta Secreti Concilii. Extracted from MSS. Books of Council, in the Register-office, Edinburgh, anno 1668, p. 97.

come so near to *Ferro perimere*, that you have met him with offensive arms. But, I pray you, what made you stand here? what made you make a period where was no comma? Can you think it unlawful to kill a king, and yet set your muskets, pikes, and cannons, before the face of a king, and shoot at random? It cannot be that you have learned Knox and Buchanan so ill, and you deserve no reward. Let that golden sentiment of Buchanan never be forgotten: whiles, he says in *De Jure Regni apud Scotos*, 'it were good that rewards were appointed by the people for such as should kill tyrants, as commonly there are for those that have killed either wolves or bears, or taken their whelps¹.'

THE INNOCENT LIVES of the much calumniated clergy of the two dioceses where the presbyterians chiefly predominated, is noticeable from an indirect circumstance, that when an inquiry was made by a committee into the clamorous charges that were made against them by their mortal enemies, there was not one clergyman convicted of having lived unsuitably to his profession; but they were obliged to censure the insolent behaviour of the presbyterians towards the clergy. Notwithstanding all the calumnies that bishop Burnet has inserted against the clergy in his posthumous work, yet in his *Four Conferences*, published in the year 1673, he says, "the outrages of these fiery zealots [the presbyterians] were such, that worse could not have been apprehended from heathens." The government and the church were and still continue to be very unjustly accused of persecution; but what government would have permitted the violence and constant recurrence of sedition which the presbyterians kept up. The bishops, in reality, were on the defensive, and had no concern whatever with those measures which the ministers were compelled to adopt to curb the insolence of the presbyterians, and to prevent their collecting in arms to attack and overturn the government. The fraternity of thieves and robbers might complain with as much justice of persecution, because the law punishes them with transportation or death for their crimes, as the presbyterians, who only suffered the natural and just punishment of their crimes. Their robberies and personal violences against the clergy were such, that many of them were compelled to desert their cures and remove to Ireland, for that protection which was denied them at home, from the barbarous usage with which they met from their presbyterian countrymen.

¹ Epistle Congratulatorie, pp. 43, 44.

CHAPTER XXXII.

THE PRIMACY OF ARCHBISHOP SHARP.

THE INDULGENCE—ACT RESCISSORY—THE ACCOMMODATION.

1669.—Proclamation against irregular baptisms.—Ministers summoned before the council.—The *INDULGENCE*.—Burnet's egotism.—Douglass's advice.—King's letter.—Opinions opposed to the Indulgence—a meeting of bishops to oppose it—the numbers indulged—objections to the Indulgence.—Mode of public worship—opposition from the people.—Parliament summoned.—Synod of Glasgow—the grounds of their dissatisfaction in acts of parliament.—Remonstrance against the Indulgence.—Proceedings against Archbishop Burnet—confined to Glasgow—secluded from parliament—causes.—Parliament opened.—King's supremacy advanced.—Act Rescissory—the presbyterians averse to it—though the principal contrivers of it.—Act for the security of the clergy.—Observations.—Assaults on the clergy.—State of the western dioceses.—1670.—Archbishop Burnet suspended.—Reflections.—Bishop Leighton appointed to the see of Glasgow in commendam.—Vacancies filled up.—Persecution of the clergy—more indulged.—Gilbert Burnet made professor of divinity at Glasgow—his character.—Leighton goes to Glasgow—state of the diocese.—Sufferings of the clergy.—Act of council.—Assaults on several clergymen.—The indulged ministers.—Carstairs' letter.—Conventicles.—Conventicle on Beith-hill—and Livingseat.—Session of parliament—acts.—Act against conventicles—and irregular baptisms—against separation.—Leighton's exertions—the *ACCOMMODATION*—his visitation—his advances rejected—their ingratitude to him—and the character they give him.—A conference—bishop Leighton's speech—not answered.—A meeting at Paisley—unsatisfactory.—Proposals made.—Leighton's proposals unauthorised by the church.—1671.—A meeting in Edinburgh—again unsatisfactory.—Counter proposals in note.—The bishop's speech.—Observations.—Tweeddale's plan for presbyterianising the church.—Bishop Patterson's Observations—private instructions to Lauderdale.—Conclusion.

1669.—*CONVENTICLES*, or congregations of disaffected presbyterians, met in retired places for hearing sermons from the itinerant ministers of the covenant; where seditious measures were concerted, and where men went fully armed, either for offence or defence, as occasion might require. One rebellion having been only recently subdued, the government were naturally apprehensive that these field meetings might terminate in another attempt for Christ's crown and kingdom, and again involve the kingdom in the horrors of war. The council therefore issued a proclamation on the 4th of March, discharging all persons from having their children sprinkled by

the presbyterian ministers; but directing them to carry their children for baptism to the parish clergymen, under penalties according to the rank and means of the offenders; and the reason assigned is, that "the privy council considering what a scandal it is to the protestant religion, and how much to the increase of popery, schism, and profaneness, that persons should withdraw from ordinances and sacraments and baptize their children by persons not authorized by the church: do therefore prohibit and discharge all persons whatsoever to baptize their children by any other but such as are their own parish ministers, or such ministers as are established by the present government of the church¹." The operation of this act, however, was confined to the counties of Lanark, Renfrew, Ayr, and Galloway, which shews that presbyterianism was confined to those districts, and the turbulence of the covenanters increased so much that it was found necessary to send more soldiers into these counties.

Ten of the ministers in Ayrshire were summoned before the privy council on the 8th of April, for having, in opposition to the above order, irregularly preached and used the forms of baptism. They answered frankly that they had both preached and baptized irregularly; and they were dismissed with an admonition, on their promising obedience to the laws; when Fullarton, one of them, addressed the chancellor, and making their usual distinctions and reservations respecting "the Lord's faithful servants," and the "giving unto God the things that are His, and unto Cæsar those that belong to him;" they asserted that, "seeing they had received their ministry from Jesus Christ, and must one day give an account to their master how they had performed the same, they dare have no hand in the least to unminister themselves; yea, the word was like fire in their bosoms seeking for a vent.—And seeing, under the force of a command from authority, we have hitherto ceased from the public exercise of our ministry, and are wearied with forbearing; therefore it is our humble supplication to your lordship that you would deal with the king's majesty in our behalf, that at least *the indulgence* granted to others of our way within his dominions may be extended to us also." The chancellor listened to this speech with patience, and then dismissed them with an exhortation to live peaceably and orderly, as men who had received their ministry *immediately* from Christ ought to do. After their dismissal the lord chancellor Rothes followed them, and entered into a familiar conversation in private with

¹ Wodrow's and Crookshank's Histories.



Fig. 1. *Adam Smith*

THE HISTORY OF THE RISE AND PROGRESS OF THE ARTS AND MANUFACTURES

OF GREAT BRITAIN AND IRELAND

BY ADAM SMITH

LONDON: Printed by A. MILLAR, in Pall-mall.

them, and said, that the council could not take it upon them to limit the king, but they had already sent instructions to Mr. Fyfe; the public prosecutor, not to give them any farther trouble. But his lordship expressed his surprise that they should call the people of their country loyal, when they boasted of having borne the heat and burthen of the Pentland rebellion, and had sworn the covenant at Lanark. In his answer Fullarton played the jesuit to perfection; for he said, "As to any persons who do any thing tending to rebellion or in prejudice to authority, *as it is exercised in the line of subordination to our Lord Jesus Christ, we disown them.*" But Mess John did not consider the government as in the line of subordination to Christ, which, in his opinion, meant subjection to the kirk; he kept the word of promise to the ear, but broke it to the reality; and which is fully admitted by Wodrow, who says—"Mr. Fullarton *designed* this as a *waving* of this matter, as I suppose; if he was of opinion that the rising at Pentland contained any thing contrary to authority, *as subordinate* to Christ, *he was alone*, [in his opinion], and no presbyterian I know of thought so. . . . Indeed, this year conventicles were like the palm-tree, the more weights were hung upon them the more they grew; and there were few presbyterian ministers in the west and south but were preaching in their houses, and some in barns, and some few in the fields¹."

THE COURSE of events now brings us to the INDULGENCE, which was recommended by bishop Leighton and the Whig administration; although Gilbert Burnet takes the whole merit of it entirely to himself, for he says, "having got the best information of the state of the country that I could, [I] wrote a long account of all I had heard to lord Tweeddale [who was then at London], and concluded it with an advice to put some of the more moderate of the presbyterians into the vacant churches. Sir Robert Murray told me the letter was so well liked that it was read to the king. Such a letter would have signified nothing if lord Tweeddale had not been fixed in the same notion. He had now a plausible thing to support it. So *my principles and zeal for the church, and I know not what besides*, were raised, to make my advice *signify something*. And it was said, *I was the man* that went most entirely into Leighton's maxims. So this indiscreet letter of mine, sent without communicating it to Leighton, gave *the decided stroke*. And, as may be easily believed, it drew much hatred on me from all that either knew it or did suspect it²." But, saving Burnet's ego-

¹ Wodrow's History, ii. 125-26.

² Own Times, i. 514.

tism, this indulgence was directly contrary to the standing laws of the kingdom, which declared that none were capable of enjoying benefices but such as were canonically inducted by the bishops, and it was notorious that the presbyterian brethren had deserted their parishes rather than accept induction from such a quarter, and even now would not enter to a living upon any such terms. And Wodrow says, that "Indulgences must not be reckoned part of our *sufferings* in this church; yet being the occasion of differences among good people, and a respite from suffering to several very worthy men, and really an *aggravation* of the severities exercised against others, who shared not of this benefit, when allowed to some; my account of presbyterians under the cross would be lame without somewhat about them in the order of time when they were granted¹."

CONSIDERING BURNET'S self-esteem, it is quite possible that he might have volunteered his advice to lord Tweeddale; but Wodrow informs us, with greater probability, that that nobleman held some private conferences with Douglas and Stirling, and procured them to address a letter to the king in council, recommending the granting of an indulgence, that they complied, and his lordship was the bearer of it," that "it might be a handle to their friends at London to work upon it in their favour." This indulgence, which seems to have been so acceptable to the presbyterian ministers at that time, is represented by Dr. M'Crie as "a *device* . . . by which many were *ensnared*, and division introduced among the witnesses against the national defection" from *the Cause*: Dr. Burns says it was "at first a *snare*, and in the end a source of much suffering²:" and Hetherington terms it an "*ensnaring boon*:" which are decided marks of presbyterian gratitude to the king and his ministers for having inserted the small end of the wedge for them into the constitution of the church; but, in fact, like their prototypes, they will not be satisfied with any thing less than the crowning of King Jesus; that is, their own *supremacy*. The terms of this "ensnaring boon" might have been complied with, without any encroachments on presbyterian principles, or on the rights of conscience, had not the wild spirit of insubordination taken such deep root in the minds of the more rigid covenanters. By this indulgence or toleration, such presbyterian ministers as had deserted their charges, or had been deposed since 1662, were to be readmitted to such parishes as had been rendered vacant by deaths and by their persecution

¹ History, ii. 129.

² Testimony of the Original Seceders, p. 32.

of the episcopal clergy, on condition of living peaceably with the established clergy, and admitting none but those of their respective parishes to attend their ministrations. Those who were unprovided with the vacant churches were allowed a *regium donum* of four hundred merks yearly, if they were *peaceable and orderly*¹. It is not very creditable to the saints that it was necessary to impose this condition; but in truth the presbyterian ministers were the prime movers of all the disorderly doings at that time. Tweeddale was the bearer of the king's letter, which is as follows:—

“ CHARLES R.

“ Right trusty, &c.—Whereas, by the act of council and the proclamation at Glasgow, in the year 1662, a considerable number of ministers were at once turned out, and so debarred from preaching of the gospel and exercise of the ministry; we are graciously pleased to authorise you and our privy council, to appoint so many of the outed ministers as have lived peaceably and orderly in the places where they have resided, to return, and preach and exercise other functions of their ministry, in the parish churches where they formerly resided and served (provided they be vacant), and to allow patrons to present to other vacant churches, such others of them as you shall approve of; and that such ministers as shall take collation from the bishop of the diocese, and keep presbyteries and synods, may be warranted to lift the stipends as other ministers of the kingdom: but for such as are not, or shall not be collated by the bishop, that they have no warrant to meddle with the local stipend, but only to possess the manse and glebe, and that you appoint a collector for those and all other vacant stipends, who shall issue the same, and pay a yearly maintenance to the said not collated ministers, as you shall see fit to appoint.

“ That all who are restored and allowed to exercise the ministry, be, *in our name and authority*, enjoined to constitute and keep kirk-sessions, presbyteries, and synods, as was done by all ministers before the year 1638, and that such of them as shall not obey our command in keeping presbyteries, be confined within the bounds of the parishes where they preach; aye, and while they give assurance to keep presbyteries for the future.

“ That all who are allowed to preach, be strictly enjoined not to admit any of their neighbour, or any other parishes into their communions, nor baptize their children, nor marry any

¹ Kirkton's History, pp. 288, 289.

of them, without the allowance of the minister of the parish to which they belong, unless it be vacant for the time. And if it be found, upon complaint made by any presbytery unto you our privy council, that the people of the neighbouring or other parishes, resort to their preachings, and desert their own parish churches, that according to the degree of the offence or disorder, you silence the minister who countenances the same, for shorter or longer time; and upon a second complaint verified, that you silence again for a longer time or altogether *turn out, as you see cause*; and upon complaint made and verified, of any seditious discourse or expressions in the pulpit or elsewhere, uttered by any of these ministers, you are immediately to turn them out, and further punish them according to law and the degree of the offence.

“That such of the outed ministers who have behaved peaceably and orderly, and are not reinstated or presented as aforesaid, have allowed to them four hundred merks Scots, yearly, out of the vacant churches, for their maintenance, till they be provided of churches: and even such who shall give assurance to live so for the future, be allowed the same yearly maintenance.

“And seeing by these orders we have taken away all pretences for conventicles, and provided for the wants of all as are, and will be peaceable; if any shall hereafter be found to preach without authority, or keep conventicles, our express pleasure is that you proceed with all severity against the preachers and hearers, as seditious persons, and contemners of our authority. So leaving the management of these orders to your prudence, and recommending them to your care, we bid you farewell. Given at our court at Whitehall, 7th of June, 1669.

“LAUDERDALE.”

THIS INDULGENCE shows how anxious the king and the government were to preserve the peace and quiet of the kingdom, even at the expense of the episcopal establishment. It was not merely such a toleration as dissenters from the national establishment of the present day enjoy; it was much more: it permitted *dissenters to enjoy the livings* of the established church, *without acknowledging her jurisdiction*, or being comprehended within her pale. It was the complete *establishment* of presbytery in the heart of episcopacy; and, as may be easily supposed, the archbishop of Glasgow and bishop of Galloway were much opposed to this license, which set up an independent power within their respective dioceses. It dispensed with the laws by which their government was estab-

lished, and weakened the unity and constitution of episcopacy. It was, however, a matter of expediency, which completely shows that the government were not persecutors, but were anxious to conciliate the Covenanters, although their friends have stigmatised Charles and the church with that accusation. "It was the senseless cant and language of an incorrigible party, who, notwithstanding this lenity, *still* pursued their rebellious courses, and renounced their allegiance¹." Wodrow is indignant at this indulgence; because nothing less than an exclusive establishment would have satisfied him; and a later historian, the late Dr. M'Crie, has expressed the sentiments of the presbyterians respecting this measure, which evince that the feelings of the party have not improved even in the nineteenth century. "It is *deeply to be lamented*," says he, "that the *most* of the presbyterian ministers in Scotland accepted of it, and some of them sent an address to the king, thanking him in their own name, and that of their brethren, for his gracious and surprising favour, and promising an entire loyalty in doctrine and practice. Nor was any joint testimony given against this *sinful and dangerous measure*²;" and Hetherington says, "viewing it, therefore, as a matter of principle, we have no hesitation in saying, that not one of the ejected ministers ought to have accepted the Indulgence, because it was impossible to do so without sacrificing the fundamental and essential principle of the presbyterian church—that which constitutes *its glory* and *its life*,—the sole sovereignty of Christ³."

THE BISHOPS and clergy were not prepared for such a stride towards arbitrary power as Tweeddale and Murray had advised the king to take; and as soon as the royal letter was made public, the bishops met together, to consult with the chancellor how to act under this "heavy blow and great discouragement," which might be the total overthrow of the episcopal establishment. It does not appear what steps they resolved to adopt, but it had the effect of awakening the government to the dangerous course which they were pursuing, and the publication of the royal letter was deferred for a few days, and in the meantime the two archbishops, the duke of Hamilton, the earls of Argyle, Tweeddale, Kincardine, and Dundonald, the lords president, register, advocate, and Lee, were appointed a committee to take the king's letter into consideration, and to report what might be considered the fittest method of making the king's

¹ True and Impartial Account, p. 64.

² Testimony of Ass. Syn. of Orig. Seceders.

³ History, p. 140.

will effectual. The committee recommended those ministers that were most worthy of receiving the benefit of the Indulgence; and on the 27th of July a proclamation was issued, according to the tenor of the king's letter. Notwithstanding the obloquy which their own party have since thrown upon these men, they cheerfully and thankfully now homologated erastianism by accepting this indulgence and good livings, even although it did flow from the king's supremacy. Accordingly, ten ministers were indulged on the 27th of July, seven on the 3d of August, seven again on the 2d of September, and five on the 30th; five on the 9th, and one on the 16th of December: in all thirty-five. Among those licensed on the 2d of December, was Mr. Robert Douglass, who, up to this period, had communicated in the established church, but after this he preached at the parish church of Pencaithland, to which he was presented, and where he died. The first ten appeared before the privy council, and received licenses, of which there were two forms. One related to those who were to serve at the churches then vacant, and where they had formerly been settled; the other to those who were appointed to other churches. All the members of the council signed these licenses, except the two archbishops, because they did not approve of the measure, and that they might not produce any scruples in the tender consciences of the ministers about homologating episcopacy.

A COPY of the license was delivered to each of the ministers, and the Act of Council was read to them. Now this was all that was originally required of them, only the license would have been granted by the bishop instead of the privy council. Men now thankfully accepted that presentation from the patron and collation from the privy council in 1669, which is *Erastianism*, and which they refused in 1662, from the bishop. There is an inconsistency in this conduct—a straining at gnats and swallowing of camels—which shows how false the outcry was against archbishop Fairfoul and the earl of Middleton, for the Act of Glasgow, and likewise that the desertion of their parishes in 1662 was entirely a factious demonstration, designed to embarrass the government; and in which they were not actuated by religious, but by political motives. At the end, however, of seven years, they homologated erastianism; although they have ever falsely accused the episcopal church of it, and so happy were they now to accept what they might have had then, with much less trouble, from their bishops, and never had occasion to leave their own parishes, that on receiving their erastian collation in the council-

chamber, Mr. George Hutchinson made a grateful speech to the council, in his own and his brethren's name:—

"MY LORDS,—I am desired, in the name of my brethren here present, to acknowledge, in all humility and thankfulness, his majesty's royal favour, in granting us liberty, and the public exercise of our ministry, after so long a restraint from the same; and to return hearty thanks to your lordships for the care and pains taken therein, and that your lordships have been pleased to make us, the unworthiest of many of our brethren, so early partakers of the same¹."

THE PRIMATE and the other bishops were decidedly opposed to the manner of granting this Indulgence, and to the granting of such unlimited powers to men who were so openly unfriendly to episcopacy, that they themselves considered it a fatal objection to the Indulgence that they were laid under UNLAWFUL restrictions, particularly in the use of seditious discourses or expressions in the pulpit or elsewhere². Under that erastian Indulgence presbyterian ministers were inducted into parochial charges, and at the same time were exempted from the jurisdiction of the bishop; and thus presbytery was in fact established, by an act of council, in the face of several acts of parliament. As the mode of worship of the presbyterians and the episcopalians was precisely the same, there being no liturgy in use by either party, the change of ministers presented no difference in the extemporising service to the people; and the restless turbulence of presbytery would, in a few years, have again assumed that supremacy which the obligations of their covenant makes a principle of their religion. But, notwithstanding some grumbling, Wodrow himself admits that "the whole ministers pitched upon were willing to accept; and by the consent of their brethren, the whole presbyterians through Scotland *cheerfully* submitted to their [the indulged] ministry as they had access. Matters continued thus, as far as I can learn, till some of the banished ministers in Holland, perhaps at first on misinformation, or at least from incomplete accounts from Scotland, some time after this, wrote over some letters, and sent home some reasons against joining with the indulged. *This began a flame, which, by degrees, rose to a very great height*³."

OF THE INDULGENCE, Mr. Skinner says—"All the moderate presbyterians, even Mr. Robert Douglass himself, once such an eminent promoter of their cause, attended the episcopal

¹ Memoirs of the History of Scotland, 157, 158.—Wodrow's History, ii. 133.

² Crookshank's History, i. 283.

³ Wodrow, ii. 135.

worship and communion in the parish kirks; for hitherto there was no *external* badge of distinction between the two parties, either in faith, worship, or discipline. The old Confession of Faith, drawn up by our first reformers, and ratified in 1567, had all along been the received standard of doctrine to both, though the presbyterians had of late introduced the Westminster Confession, in many points different from it, and in some even contrary to it. There was no liturgy, or appointed form of prayer in the public worship, the late opposition having discouraged any new attempt that way. Many, indeed, of the episcopal clergy compiled forms to be used by themselves in their particular congregations, with some petitions and collects taken out of the English book; and all of them uniformly concluded their prayers with the Lord's Prayer, and their singing with the doxology, both which the zealots of the other side decried as superstitious and formal. The two sacraments were administered by both mostly in the same manner, without kneeling at the one, or signing with the sign of the cross in the other; only in baptism the episcopal clergy required the Apostles' Creed, and the presbyterians, in general, the Westminster Confession; and some of the more rigid of them, the Solemn League and Covenant, to be the model of the child's religious education. And then, with regard to discipline, the establishment had their kirk-sessions, as the presbyterians have at present. They had their presbyteries, where some experienced minister of the bishop's nomination was moderator; they had their diocesan synods, in which the bishop of the diocese in person, or one of his express appointment, presided; and they might have had their national synods, or general assemblies, too, under certain regulations, if the king had found it proper either to call or to allow them. And that the king or supreme magistrate has power to allow or prohibit conventions of the lieges, as to him shall seem expedient, must be acknowledged by all who respect the prerogatives of majesty, or the necessary powers of government¹.

NOTWITHSTANDING the anxiety of the government to satisfy the presbyterians, yet the scrupulosity of their ministers found something in the Indulgence itself to object to. Those who were appointed to other parishes than those which they had deserted, or from which they had been deposed, scrupled to enter without a *call from the people*. Others again strained even at this call itself, when it was obtained, because the people had not a free choice, for the government having appointed

¹ Ecclesiastical History of Scotland, ii. 466-68.

them, would not allow the people any choice in the matter. However, the comfortable prospect of good manse and livings induced the ministers to conquer or evade their scruples, and so they salved their tender consciences; and Burnet compares their settlements to a *congé d'elire*, which the presbyterians held as an utter abomination when exercised in the case of a bishop, but could now "homologate" it as well as an *erastian* collation, when it answered their own purposes. But the indulged ministers having been put upon their good behaviour, were liable to be as summarily turned out as they had been inducted, if they disobliged the privy council, and a woe hung over their heads if they preached not according to the erastian principle, or if they "preached to the times;" that is, if they preached up rebellion and the Covenant, and railed upon the king's government and the hierarchy as they used to do. In consequence, a great proportion of the presbyterians deserted their ministry, upbraided them with being erastians, the king's and the council's curates; and, prompted by the unindulged ministers, they called them "dumb dogs that could not bark," and concluded "that the Divine grace had departed from them." They called the Indulgence itself the **BLACK INDULGENCE**; and their friend Burnet says, "they that could have argued about the intrinsic power of the church, and episcopacy and presbytery, upon which all their sermons had chiefly run for several years, knew very little of the *essentials* of religion." But from this change in the popular mind we may rightly understand what the covenanted brethren and their followers meant by **DIVINE GRACE**, which was none other than a spirit of calumny and detraction, railing and uncharitableness—which principally exerted itself in exciting the ignorant people against their civil and ecclesiastical governors—in sedition and rebellion, and in resisting the powers that be, and every ordinance of man. So strong was the spirit of delusion upon these Covenanters, that they mistook the works of the flesh and of the Devil for the operations of Divine grace; and their crimes deserved indulgence in about an equal degree as highwaymen who mistake murder for an act of charity. In fact, Burnet himself enumerates as many and as atrocious acts of violence practised by these covenanted saints upon the episcopal clergy, in his work called the "Vindication," and glimpses of this peep out even in his posthumous work, his "Own Times," when he forgets himself, as the most notorious and abandoned robbers could be guilty of, and that simply because they were episcopalians, and submitted to the civil and ecclesiastical government of the kingdom.

AS THERE WAS some project in hand at this time for an union of the kingdoms, it became necessary, after an interval of eight years, to summon a new parliament; and accordingly a proclamation was issued on the 15th of July, to summon one to meet in October, for the dispatch of business. Wodrow, in a contemptuous, sneering manner, informs us, that archbishop Burnet and his diocesan synod "made a little sputter against the exercise of the supremacy when it struck against them." The Indulgence caused great and just alarm to the established clergy throughout the kingdom, but especially in the dioceses of Glasgow and Galloway, where it was to take effect; and at their autumn synod the clergy of the diocese of Glasgow drew up a strong remonstrance against it. They contended, and justly, that this arbitrary act of council suspended, and *ipso facto* repealed, several acts of parliament that had been passed for the preservation and support of the church. The first act of the second session of parliament, 1662, declares, that all jurisdiction and church power "is to be regulated and authorised in the exercise thereof by the archbishops and bishops, *who are to put order to all ecclesiastical matters and causes*, and to be accountable to his majesty for their administrations¹. Another act "doth statute and ordain the archbishops and bishops to have the power of new admission and collation to all such churches and benefices as belong to their respective sees²." By another act of the same session it is ordained, "that none hereafter be permitted to preach in public, within any diocese, *without the license of the ordinary*: and in another act, in the year 1668, the parliament promise "not to endure, nor give way or connivance, to *any variation* from the established church government; but to punish all preachers, *without the bishops' license*, &c., as seditious persons." So that archbishop Burnet was only acting in obedience to the standing laws of the country in making "a sputter," while Tweeddale and the presbyterian cabinet were breaking solemn acts of parliament for the accomplishment of a crotchet of doubtful propriety, even on the vile principle of expediency, but disgraceful as an encroachment and persecution of the church, which by their solemn oaths they were bound to maintain in its full integrity.

THE SYNOD OF GLASGOW, in their remonstrance, represented the illegality of this *Black Indulgence* based upon the acts of

¹ Act for the restitution and re-establishment of the church by archbishops and bishops.

² Act restoring patronages.

parliament for the restitution and support of the church. The remonstrance never was made public. Wodrow says, "I have not seen it; but by papers writ about the time, it is said to contain a heavy complaint against the Indulgence, and the council's placing persons, *lying under ecclesiastical censures*, into the ministry at their old charges or elsewhere, when neither the bishop nor synod had ever given the least shadow of relaxation from these censures¹." It is by no means surprising that the clergy of the diocese of Glasgow felt alarm at a measure that exposed them to a new and aggravated storm of persecution; for Burnet, who had called the presbyterians "a poor harmless sort of people," is now compelled to admit that "Burnet and his clergy were out of measure enraged at the Indulgence. They were not only *abandoned*, but *ill used by the people*, who were beginning to *threaten* or to buy them out of their churches, that they also might have the benefit of the indulgence²:" and this is confirmed by Wodrow. This remonstrance was prepared, but was never presented; for a copy of it having been surreptitiously obtained, the king's ministers became alarmed for their own safety when they saw to what an extent they had broken the laws. The council met on the 30th September, to consider what could be done to remedy the evil that was already effected, and they acted with the arbitrary promptitude of men conscious of the jeopardy of their position. The archbishop of Glasgow was present at this meeting, but both he and the archbishop of St. Andrews had protested against the Indulgence at the time of its enactment by the council. By a minute of this meeting they commanded the archbishop to deliver up the remonstrance:—"The lords of privy council being informed that in the late synod holden in Glasgow some papers were agitated, debated, and passed, under the name of petition, remonstrance, or grievances, which may tend in the consequences thereof to the prejudice of his majesty's authority and of the peace of his government, they do therefore recommend to and require the lord archbishop of Glasgow forthwith to call for the aforesaid papers, in whose hands soever they may be, and to present them before the council at their meeting, October 14th next. As also that he require Mr. James Ramsay, dean of Glasgow, and Mr. Arthur Ross, parson of Glasgow, who were the persons that formed and drew up these papers, and were nominated for presenting and prosecuting the same, to compear before the

¹ History, ii. 143.² Own Times, i. 158.

council the same day : and further they require the archbishop to produce before the council, the day aforesaid, the clerk of the synod and the public records thereof, with all the minutes, votes, and acts passed therein ; and that he take a special care that no copies be given of these papers, nor no further proceeding therein nor prosecution thereof, until the lords of his majesty's privy council, having seen and considered the same, give further orders there anent¹."

THE ARCHBISHOP of Glasgow did not appear at the meeting of council on the 14th of October, but sent the remonstrance as he had been required, and Lauderdale produced it at the board. The dean and parson of Glasgow also attended, and a committee having made a report, the council passed an act on the 16th, condemning "the second Western Remonstrance;" which lawful and respectful document they were pleased to compare with Guthrie's seditious and treasonable paper. "Considering, &c. . . . do find and declare the same to be in itself a paper of a dangerous nature and consequence, tending towards the depraving of his majesty's laws, and misconstruing of the proceedings of his majesty and his council, in the manner of conveying thereof to be most illegal and unwarrantable; and do therefore ordain the same to be suppressed, and no copies thereof to be kept by any; and discharge all his majesty's lieges, of what quality or function soever, from owning or countenancing the said paper, or any other paper or purposes of that nature hereafter, under the pains contained in the acts of parliament made there anent; and desire his majesty's commissioner humbly to offer his majesty an account of their proceedings in this matter, together with the paper itself, to the end his majesty may declare his future pleasure, &c."²

THIS ARBYTRARY and tyrannical proceeding was the effect of fear, lest the late transactions of the council should be called in question by the parliament that was just about to meet; wherein Lauderdale intended to pass an act of indemnity in favour of the council, and to exalt the regal supremacy to the highest pitch of erastianism that ever was known or practised in any nation since the union of church and state. "Episcopacy," says an anonymous author, "was at this time in a low condition, for Lauderdale had been bred in an aversion to it, and Tweeddale, who had got an absolute ascendant over him, perceived that the bishops had at first given unfavourable

¹ Cited in Wodrow, ii. 143.

² Cited in Wodrow, ii. 144.

ble characters of him to his majesty; whereas the presbyterians were devoted clients to his interest, and they believed that he was advancing their interest even when he did seem to persecute them. But this supposed unkindness for that government did appear more eminently than formerly in their usage of the archbishop of Glasgow, and in their carrying out the act of supremacy. When the primate fell under a cloud with Lauderdale and the chancellor, to eclipse him [the primate], he [archbishop Burnet] was preferred to be a member of the exchequer and the privy council, and an extraordinary lord of session; whereby Lauderdale thought he had secured him to his interest. But when Burnet saw that episcopacy was daily undervalued and contemned, he resolved to own his own order and the hierarchy, at any rate; and in pursuance of this design he did represent to his majesty, and to the bishops of England, that Scotland would return to the old principles, if the present state of affairs continued for any time; and moved by that principle, he did write the letter which we formerly mentioned, wherein he informed his majesty that the fanatics were owned in council: and when the Indulgence was granted, some ministers of his diocese entreated license from him to register this following testimony of their zeal." [Here there is a blank in the memoirs; but the "testimony" is probably the petition or remonstrance already mentioned.] He continues,—“ Upon the account of this paper, a great noise was made by the earl of Tweeddale and the lord register, who were his enemies, because the former letter did aim at them as the great abettors of the fanatics; and it was represented that episcopacy had been for no other reason more subservient to monarchy, but because monarchy had made it its great interest to support that order; and that if his majesty should not restrain the growing insolence of the present clergy, they would exceed the insolence of those to whom they succeeded. Nor was this paper thought less seditious than the remonstrance, nor the archbishop of Glasgow more innocent than Mr. James Guthrie; for both equally designed to debar the king from interposing any way in the affairs of the church. Whereupon the archbishop was called to the council, and it was intimated to him that it was *his majesty's pleasure* that he should not be present at this present parliament, but should be confined to Glasgow till his offence were further considered: in obedience to which he retired: and *thus one great design was effectuated*, wherein it was *contrived* that he should be removed from parliament till

*the act of supremacy should pass; against which it was found he would oppose himself, and stir up others*¹."

BUT THERE was another motive still that actuated the breast of the commissioner, who was implacable in his resentments. The archbishop of Glasgow had incurred Lauderdale's wrath in the year 1666, after the presbyterian rebellion, by exerting himself in council to mitigate the sufferings of the prisoners, and to save the lives of some of them, and in general to have the covenanters, who were chiefly in his diocese, used with lenity. Being unsuccessful at home, he transmitted an account of the proceedings of the council to sir Henry Bennet, one of his majesty's secretaries of state for England, that he might lay the case before his majesty; and this circumstance is the foundation for that fiction of Burnet's, and others, of his having gone to court, and brought down a letter from the king, which either he himself, or archbishop Sharp, or some one else, was said to have suppressed till all the executions had taken place. Lauderdale considered it such an indignity to have passed over him, and applied to secretary Bennet, that he threatened the archbishop with impeachment for high treason for having revealed the king's secrets. The affair was compromised for the time being, but it rankled in the heart of the prime minister till the present business of the remonstrance gave him an opportunity of accomplishing his revenge; and which he did by secluding the archbishop from parliament, and depriving him of his office of a privy councillor². Lauderdale was also enraged at the archbishop for the opposition which he and his clergy made to that "stab under the fifth rib,"—the *Black Indulgence*; and therefore, in the prosecution of his private revenge and the stabbing system, he introduced the *assertory act*, one of the most daring assaults upon the freedom of the church, and subversive of its constitution, that any statesman had ever attempted.

PARLIAMENT MET on the 19th October, when the earl of Lauderdale presided as the royal commissioner, and the archbishop of St. Andrews preached before the parliament and gave

¹ *Memoirs of the History of Scotland*, 4to. pp. 186, 187, 158. The MS. of this history was picked up by chance, among waste paper, in a chandler's shop, some of which had been used for wrapping up his wares, by the late Dr. M'Crie, who rescued it from destruction, and published the fragment which remained, with a preface, in which he ascribes it to the pen of sir George Mackenzie, lord advocate in this reign; but I think upon very insufficient grounds, as many of the sentiments contained in it are in opposition to his well-known and published political and religious principles.

² Keith's Catalogue, p. 266.

some umbrage to the commissioner, by "stating *three* pretenders to the supremacy [in the church]—the pope, the king, and the presbyterian General Assembly; and in a long discourse he disproved all their several pretences; for which it was thought he would have been *turned off*, if the archbishop of Glasgow had not suffered so lately¹!" This arbitrary and erastian conduct shews the principles of the school in which the commissioner had been educated as a violent presbyterian and covenanter, and where he imbibed, in his youth, the principle of extirpating that church, that, in his mature age, he had vowed, by the sacred name of his Creator, to support and maintain. Indeed, the author of the *Memoirs* says, "The reason why the archbishop of Glasgow was not presently turned out of his bishoprick was, because his enemies were not as yet fully assured that the clergy would consent to the act of supremacy, if they found it would produce such effects: but how soon that act was past, his majesty, by a letter, as supreme head of the church, declared his see vacant, and he was moved to resign it in his majesty's hands; for which some blamed him, as an act of too much despondence and fear in him; but he was induced to do it by the vows they made to pursue him as a traitor, if he did not; the ground of which process they intended to found upon his former letter [to sir H. Bennet], which was said to be the lying betwixt the king and his people. But to this it was answered, by some of his friends, that he needed not fear that accusation, seeing *it was palpable* now to the world, that the fanatics *had been assisted by some councillors*; for by the Indulgence many of them were restored to their former ministry. Thus he [archbishop Burnet] went off the stage, generally admired, even by the fanatics themselves, for preferring his conscience to his gain, and for fearing nothing but to offend it²."

AT THE BEGINNING of parliament the king's letter was read, which chiefly related to the proposed union of the kingdoms, and it was subsequently recommended by the commissioner in his opening speech. He insisted, at great length, on the king's fixed resolution to maintain the church as it then stood established by law, which he highly commended, and assured them of the king's determination not to allow any field or other conventicles, now that he had granted an Indulgence, and so had done away with all excuse for continuing them. How far the noble speaker was sincere may be gathered from the very first act which he proposed and carried, for the king's

¹ *Memoirs*, 159.² *Ibid.* pp. 158, 159.

supremacy ; and we cordially agree with Wodrow's "observe" on it :—"How far the good and peace of any right constitute church can be advanced by *the utter removal of all church power*, I cannot see ;" and with his editor's note, who says, "this act was abhorred by all parties, and seems to have been a mere *state trick*, intended to lay the ecclesiastical power, whoever might exercise it, *at the feet of the civil*." To enable this minister to *turn off* any or all of the bishops at his pleasure, he "proposed in the Articles that his majesty's supremacy should be yet more fully explained by act of parliament, that no scruple might remain from the extravagant insinuations of either the *jure divino* episcopist or the presbyterian. Most of the lords of the articles inclined to the motion, because by this all the government of the church would fall into the hands of laics, and especially of counsellors, of which number they were ; and the nobility had been, in this and the former age, kept so far under the subjection of insolent churchmen, that they were more willing to be subject to their prince than to any such low and mean persons as the clergy¹." But, in point of fact, this execrable act was pushed forward and hastened by the king's ministers at the instigation of Douglas, and other presbyterian preachers, "to save the council from the treason they were guilty of, by granting it [the Black Indulgence] contrary to standing laws and acts of parliament," of which several "do seem to run cross to it²." This act is commonly called the act ASSERTORY, and it asserted the royal supremacy so high that it left no power whatever to the church. It is as follows :—

"THE ESTATES of parliament having seriously considered how necessary it is for the good and peace of the church and state, that his majesty's power and authority in relation to matters and persons ecclesiastical be more clearly ASSERTED by act of parliament, have therefore thought fit it be enacted, ASSERTED, and DECLARED, likeas his majesty, with advice and consent of his estates of parliament, doth hereby ENACT, ASSERT, and DECLARE, That his majesty hath the supreme authority and supremacy over all persons, and in all causes ecclesiastical, within this his kingdom ; and that by virtue thereof, the ordering and disposal of the external government and policy of the church doth properly belong to his majesty and his successors, as an inherent right of the crown ; and that his majesty and his successors may settle, enact, and emit such constitutions, acts, and orders, concerning the adminis-

¹ Wodrow, and note, ii. 137.

² Memoirs, p. 160.

³ Wodrow, ii. 137.

tration of the external government of the church, and the persons employed in the same, and concerning all ecclesiastical meetings, and matters to be proponed and determined therein, as they in their royal wisdom shall think fit; which acts, orders, and constitutions, being recorded in the books of council, and duly published, are to be observed and obeyed by all his majesty's subjects; any law, act, or custom to the contrary notwithstanding: likeas his majesty, with advice and consent foresaid, doth rescind and annul all laws, acts, and clauses thereof, and all customs and constitutions civil or ecclesiastic, which are contrary to or inconsistent with his majesty's SUPREMACY, as it is hereby ASSERTED, and declares the same void and null in all time coming¹."

ALTHOUGH the *Assertory act* was designed to be a real "stab under the fifth rib" of episcopacy, and in so far a measure highly to be commended by the presbyterians, yet they began to see that it was a double-edged weapon, and might be applied to their own ribs as well as to those of the prelates. Both episcopalians and presbyterians were loud in their reprobation of it, as making the king a pope, and putting him in Christ's stead, and the whole of religion in his power. Under the shelter of this act he might at any time change the external government of the church—he *might* establish presbytery and the covenant—but there was greater risk of his restoring popery itself, which Burnet seems to think Lauderdale's instinct led him to conclude would be agreeable to the next possessor of the throne. Yet the bill was very artfully contrived so as to catch the passions and prejudices of the presbyterians, who thought the chance would be the greater of carrying out the principles of the covenant, and *extirpating* prelacy, if its abolition rested with a single individual, especially now that they had got a presbyterian administration, than if it could only be effected by an armed resistance to the ruling powers, or through the formalities of parliament. But thereby they condemn their own party, by whom it was invented and carried into law; for their apologist, Gilbert Burnet, says, *he* had no share in the councils about this act, but that lord Tweeddale protested *to him* that the chief end they had in view was *to justify the Indulgence*, and to be an *indemnity* to the council for having enacted the Indulgence in such an arbitrary and unconstitutional way. The assertory act was intended to screen the king's ministers from impeachment for having su-

¹ Act anent the Supremacy, 16th November, 1669.

persuaded acts of parliament by acts of council¹. The primate and the other bishops, as well as bishop Leighton, made a vigorous though ineffectual opposition. The primate incurred the wrath of Lauderdale by arguing powerfully against the measure, and his grace was repeatedly interrupted by the commissioner, who angrily remarked, that "my lord St. Andrews would not allow the *king's* supremacy in the terms of the act, because he supposed he designed that for himself²." Notwithstanding the opposition of the prelates, this unhappy act passed without any of the amendments which they proposed³.

THE WICKED *do* sometimes stumble into the pit that they dig for others; and this erastian assertory act was a plan of the presbyterians to humble the church, and screen the king's ministers from impeachment for high treason. It was generally known at the time, says an anonymous author, "that it was contrived by Mr. Robert Douglass, and several of his brethren, in concert with some of the king's ministers, in order to secure and justify the Indulgence, and to make it as good as legal. Besides, some of the statesmen had this in their view, that their actions in this and other affairs would be less censured, while two parties were contending; and that by encouraging them to be jealous of, and bandying them against one another, they might serve their own turns of either or both. Though it be almost demonstratively certain that the principal design of this act was to do a kindness to the presbyterian party, and to justify all the tolerations or favours those of their faction could procure from his majesty in their behalf, and consequently that it was at first devised by themselves; yet, so unreasonable are some men, that there is not one topic of slander and reproach insisted so much upon by these same men, against the then bishops and clergy, and their successors, as this,—namely, that by this act they tamely gave up all their privileges and rights, unchurched themselves, and what not; though they very well knew that the bishops and churchmen could propose no advantage to themselves by it, unless it were to have their rivals and irreconcilable enemies encouraged, and their interests promoted, to the eminent danger or ruin of their own, to which this did not a little contribute; and therefore, though there were no documents of it yet extant, or living witnesses to inform us, yet we may rationally infer that the regular clergy, if they were in their right

¹ Memoirs.—Burnet's Own Times, ii. 521.

² True and Impartial Account, p. 65.

³ Memoirs, p. 168.

wits, could not fail to oppose it: and so they did, as much as they were able, and as much as their calumniators could have done, had they been in their place; who [the presbyterians] in their turns, have more than once truckled under to the state, and been made tools to designing courtiers, and have as little to boast of their intrinsic power as other people. But it is a jesuitical fetch, a serpentine wisdom, divested of the innocence of the dove, to dam the world with reproaching the episcopal clergy for suffering that which they could not help, and of which they [*the presbyterians*] themselves were the *principal contrivers*, and *who only reaped benefit by it*. The answer to this, perhaps, will be (for I do not see what other they can make), that the bishops and other churchmen, rather than suffer such an act to pass, should have demitted their dignities and charges (as, by the by, the pious Dr. Burnet, archbishop of Glasgow, actually did); that is, they should have modestly given place to their inveterate enemies, and not only have abandoned their offices and livings, but brought on themselves anew all the miseries and calamities they had suffered in the glorious days of the covenant¹."

IN CONSEQUENCE of the horrid barbarities committed by the presbyterians on the persons and properties of the established clergy in the diocese of Glasgow, it became necessary to make an act of parliament for their protection, called an "act for the security of the persons of ministers:"—"Forasmuch as the king's majesty, considering how just and necessary it was that the orthodox clergy should be protected from the violence of the disaffected and disloyal persons, did therefore . . . command and charge all heritors and life renters, &c. to protect, defend, and secure the persons, families, and goods of their ministers, not only in the exercise of their ministerial function, but in their dwelling houses, or being elsewhere within the parish, from all injuries, affronts, and prejudices which they might incur in their persons and goods, from the violence and invasion of any disaffected, disloyal, or other wicked person: with certification if the actors of such outrages shall not be apprehended and brought to trial by the means and diligence of the parishioners, the parishioners should be decerned to pay the suffering minister for reparation, damage, and interest, such a sum and fine as his majesty's council should determine²."

¹ True and Impartial Account of the most Reverend Father in God, Dr. James Sharp, pp. 66—68.

² Thomson's edition of Acts of Scottish Parliament; folio.

THE NECESSITY for such a stringent act shows how well founded were the complaints of the clergy, of the barbarous treatment of which Burnet is himself the witness¹, who says, "*that the outrages of these fiery zealots were such, that worse could not have been apprehended from heathens.*" Wodrow is indignant that the saints should have been subjected to any restraint, and calls the act "*unreasonable,*" but although he dared not deny such a plain and notorious matter of fact as the villainous conduct of the covenanters, yet he tries to invalidate the sworn informations on which the act was grounded, by saying: "however, as those attacks were designed, at first, for *pretences* to keep up a standing army, so afterwards they became a *good handle* for extorting large sums of money from presbyterian heritors in parishes perfectly innocent of *these riots*, and a good occasion for some of the poorer sort of the curates to get a swinging sum from their parishioners. No more was to be done, *but* [the clergy] *casting themselves in the road of a rabble*, and *endeavour to get some small thing* taken out of their houses, and then, to be sure, they had it made up with interest, cent. per cent. profit²." It is but justice, however, to Wodrow, to state, that he is the only presbyterian author that mentions, or even alludes to this act in any way. Dr. Cook, who in general has some candour, is totally silent about it; and Hetherington, the most recent presbyterian authority, makes no allusion to it whatever. All this is done to keep up the delusion in the public mind that the presbyterians were persecuted by the church, whereas the direct contrary was the fact. The church, in the dioceses of Glasgow and Galloway, was most cruelly persecuted by the presbyterians, and the clergy had hitherto got little or no redress or protection from the government. There are more than forty of archbishop Burnet's letters to archbishop Sheldon preserved, in all of which he recommends vigorous proceedings against the seditious covenanters, from his own experience, and his opinion formed thereon of their necessity, and not through the suggestions of others, although his friend Gilbert has the audacity to say that he was much in the power of others³. He also says, the archbishop "meddled too much in that which did not belong to him, and he did not understand; for he was not cut out for the court or for the ministry." This is pure calumny; for although he did not meddle with things that did

¹ Four Conferences, p. 290; *ante*, chap. xxxi. p. 592.

² History, ii. 140.

³ Own Times, i. 525.

not belong to him, which is no disparagement of his character, yet the affairs of his diocese *did* belong to him, and to none other; and when "meddling" with them, he was undoubtedly within the line of his duty, even although he might not have been "cut out for a court and ministry," and to offer uncalled-for advice to all the bishops and ministers of state in Scotland, at the mature age of *nineteen*.

ABOUT THE VERY time when the act for the protection of the clergy was passed, Wodrow records two flagrant instances of "invasion;" one on the person and property of the rev. John Row, parson of Balmacellon, in Galloway, from whom he finds a sworn information in the council-books, "that three persons, upon the 30th of September, came into his house in women's clothes, about nine of the clock at night, *and took him out of his bed and beat him, and broke up trunks, presses, &c., and took away what they pleased.*" Several individuals and the heritors [proprietors of the soil] of the parish, were cited to appear before the council, to answer for "that riot." The really guilty parties remained undiscovered, but the parish was amerced in the sum of sixty pounds sterling. The other case is that of the rev. John Lyon, parson of the parish of Orr, in the same diocese, whose petition and complaint states, that on the night of the 26th of November, three men came in disguise to his house, dragged his wife out of the door, and searched for himself, but missed him, and afterwards robbed and spoiled his house; and these facts were substantiated and attested by the presbytery of Dumfries¹. For this outrage the parish was mulct in the sum of thirty pounds sterling. These outrageous proceedings of the presbyterians, and the wholesale severity of the council in punishing the whole parish for the villanies of the actual perpetrators, had the unhappy effect of rendering both the clergy and the established religion odious in the minds and ideas of the people of those parts of the kingdom where they were perpetrated; and from the extraordinary pains that have been since taken to perpetuate the commotions of that period, local and transitory prejudices have been transmitted, which are not easily to be eradicated, respecting the sentiments of the whole mass of the people, but which were not felt out of the presbyterian district.

THE PRIMATE trusted that the king would not have accepted the ultra-supremacy that this most improper act conferred; but

¹ Wodrow's History, ii. 146.

he was mistaken. The king approved of the act; and the primate had reason to fear that he himself would have been deprived for his opposition to it; but it seems that Lauderdale was "ashamed to depose two archbishops in one year¹." His deposition, however, was debated in council; but they could not find any one that would answer their purpose to put in his place. And as they dared not venture to depose him, they affected to show him all outward marks of respect. Lauderdale always spoke of him, and of all the bishops, with the greatest reverence, because he knew it would please the king. He even passed two acts in favour of the church, on the 30th of November,—one to make the parishes liable for the robberies which were frequently committed on the clergy, and the other inflicting severe penalties on those who refused to pay their stipends. The author of the Memoirs says, "The first of these was enforced as necessary, because ministers, to the great contempt of religion, had their *houses robbed*, and were *nightly pursued for their lives*, in all the western shires; so that they were forced to keep guards, which exhausted their stipends, and abstracted themselves from their employments. And albeit, those shires *pretended* that this was done by highwaymen, who showed their insolencies under the pretext of religion, calling themselves presbyterians, and inveighing against the poor ministers whom they robbed, in the language of that sect; yet it was concluded that these insolencies were committed by those of that persuasion who were known to think that all injuries done to episcopal ministers were *so many acceptable services done to God*; and it was most prooable, that the zeal which carried them on to plunder, imprison, and execute all such as differed from them in the last rebellion, and to shoot at the bishop of St. Andrews upon the street, might excite them to greater outrages, when they were countenanced, as they thought, by authority, and under the silence of night, when they might hope for impunity; nor was ever the west country known to be infested with robbers at other occasions, so that they [the parishioners] were *connivers at least in those crimes*, and therefore deserved to be fined upon such occasions. These motives induced the parliament to agree *unanimously* to this act. Yet all this outward zeal for episcopacy could never prevail with the bishops to believe Lauderdale their friend; nor were the leading presbyterians terrified at these, as marks of his disesteem; because *fanatics* were *advanced* to all places of trust, and the

¹ Memoirs, p. 162.

friends and servants of the grantees (who could not dissemble so well as their masters) laughed at episcopacy and the malignant party¹."

1670. — LAUDERDALE having now accomplished an act suitable to his own designs and consistent with his arbitrary principles, did not permit it long to remain a dead letter on the statute book; for he strained its provisions to meet the archbishop of Glasgow's case, for there was no such authority given in the act itself, as was afterwards declared by the council, to deprive any of the bishops. But Lauderdale bore a grudge against archbishop Burnet, and the assertory act now gave him an opportunity of glutting his long-cherished revenge in the degradation of that most excellent and eminently pious prelate. He therefore recommended the king to suspend him from his high office during his majesty's pleasure—a measure for which both master and servant deserve the most indignant reprobation and the most severe censure which posterity can bestow. The excuse for this most unjust and sacrilegious act was the remonstrance, which the synod of Glasgow felt themselves called in duty to draw up, although it was never presented; but the real cause of his deprivation was the appeal to the king in favour of the rebels, and the opposition which Lauderdale knew he would make in parliament to the Assertory Act. On the day of his resignation he wrote to archbishop Sheldon—"My great crime was the information which I gave his majesty in your grace's hearing. Yet, I bless God, most men here [except Gilbert Burnet] think my integrity is my greatest crime." Agreeably to Lauderdale's recommendation, the king wrote, commanding archbishop Burnet to cease from exercising his episcopal office, or any jurisdiction within his diocese, *during his majesty's pleasure*. To this unusual command the archbishop demurred; but Lauderdale bullied him, and threatened to prosecute him for high treason, unless he ceded his bishoprick, "to which this prelate yielded out of fear, and surrendered the office in the month of December, 1669." On the 6th of January, Lauderdale intimated to the privy council that archbishop Burnet had resigned his office and dignity into his majesty's hands; and he ordered his name to be expunged from the roll of privy councillors. The king, however, could only take from him his temporalities, and the power of exercising his spiritual functions; but as for his spiritual character and gifts, it was neither in his majesty's power to give or to take them away. Upon the receipt of this ar-

¹ Memoirs, pp. 163, 164.

bitrary letter, "the peaceable man called his clergy together, and, in great simplicity, told them, 'he was not to act for some time as their ordinary [pastor] among them, till the king should be pleased to allow him.'" The good archbishop retired into private life, dutifully obeying the law, though a bad one, and patiently suffered, upon true church principles, rather than resist this unjust ordinance of man, and bore his disgrace with such a dignity and resignation as extorted the admiration even of his enemies.

SOME EXCUSE may be offered for the king's following this most wicked advice of his prime minister, by stating that he had been *compelled* to swear the covenant, but his minister had done that *voluntarily*, which bound them both to extirpate the episcopal order; an oath that may have been present to the mind of Lauderdale when he framed the act, and acted under its strained provisions. But putting out of view the lawless act of the Glasgow Assembly in 1692, this deprivation is perhaps among the most wanton stretches of royal power towards a christian bishop in the annals of the church, without the previous formality of a trial and censure, whether justly or not, by a council of bishops; and there is no canon or divine law that will justify such a sacrilegious stretch of power. It was perhaps adopted as the precedent for the deprivation of the non-juring bishops after the Revolution, both in England and in Scotland. The dean and parson of Glasgow were reprimanded; but they were afterwards pardoned, and restored to their benefices.

IT REQUIRED considerable tact to ascertain who would take the see of Glasgow, now made vacant by the extension of the Assertery Act; for the bishops had sufficient penetration to see the hypocrisy of the presbyterian statesmen, who were constantly planting secret stabs under the church's fifth rib. They were universally opposed both to that infamous act and also to the indulgence, and even Leighton himself was indignant that the bill had been interpolated after it had been read and passed, and before it had been touched by the sceptre. It was discovered, however, that Leighton was the only man of the whole bench who could be induced to enter into the views of the ministry. It was supposed that he was the author of the Indulgence; and he is said to have served with satisfaction under presbytery and episcopacy indifferently. "These principles rendered him a *fit instrument* in their present undertakings¹." He was a very learned and pious man, but a very

¹ Memoirs, p. 161.

low churchman; and altogether unfit for the episcopal office in the difficult times in which he lived. "He knew nothing of the knave, so that the hypocrite of ordinary letters, from whatever quarter, with a dejecting, whining countenance, and a large pretence to piety, seldom went away without his designs¹."

LAUDERDALE and Tweeddale pressed bishop Leighton to accept the vacant see of Glasgow, which he at first declined; but they persuaded him that his translation to a sphere of such extensive influence would enable him to prosecute his favourite scheme with greater success, especially as he would now have the support of the whole of the king's administration. Some conscientious scruples, however, did lurk in the mind of the earl of Lauderdale, and he was not made archbishop, but only *commendator*, of Glasgow, and was merely appointed to administer its affairs during the seclusion of the lawful prelate; at least till they should force a resignation from him. He received a summons from the king to attend his majesty; but previous to his journey, "he concerted the likeliest means of composing the feuds of the church," with his bosom friend and co-reformer, Gilbert Burnet, of mendacious memory. This was a work, says his biographer, (who leans chiefly on Burnet's evidence,) "in which he had embarked with the spirit of a martyr, and which he strenuously followed up by labours and watchings, through conflicts, defamation, and outrages, with toil of body and anguish of heart;—a dearer price than he would have consented to give for any wordly dignities, though far short of the sacrifices he was capable of making to ensure the welfare of the christian Zion²."

IN THE MEANTIME, such vacancies as occurred in the dioceses of Glasgow and Galloway were filled up with as little delay as possible, upon which act of indispensable duty the presbyterian party vented their spleen in loud complaints of persecution, and the whole have been embodied by Wodrow in the following sentence, replete with instructive information—"Vacancies in the south and west were planted with all possible expedition, that so presbyterian ministers might not have access to them; and they made no great matter who was put in upon the people, provided a presbyterian minister was held out. The curates, when once planted, were by all methods kept in, though never so ignorant, vicious, or profane. This I take to be *one occasion of the insults of some angry people, upon some few of the*

¹ Account of the Familie of Hamilton, of Broomhill, p. 60.

² Pearson's Life of Leighton, lxxvii.

incumbents, the end of the last and this year, which have and shall be noticed as I go through." The presbyterians, it seems, were enraged that the episcopal clergy were not "turned out" of their benefices to make room for their ministers, and, in consequence, they took the matter into their own hands, and attempted to dispossess them by insults, assaults, and robberies, which they found, in many cases, had been an effectual method of compelling some of them to resign, and to go over to Ireland. This is a *full confession*, and from an enemy of the persecution which the church suffered at the period when the Indulgence was proposed in order to add more fury to the violent passions of an irascible people, who were kept in a perpetual agitation by their itinerant ministers.

ON THE FIRST of January, the council granted collation under the Indulgence to one presbyterian minister, and on the 27th to another, and on the 3rd of March to six more, to vacant parishes; which, with thirty-five that had been before inducted by the council, made forty-three of the deserters and deposed ministers who were restored to parish churches. We may thus see the enormous exaggeration which has been so long imposed upon the world, of four hundred ministers having been ejected from parishes in the western dioceses—which would have been nearly the one-half of the parochial ministers of the kingdom; whereas there were not one hundred in the whole disaffected districts who *deserted* their parishes; for they *were not ejected*, as it has been falsely asserted. Add to the deserters nineteen that in the course of ten years were deposed by the different bishops, for most wilful and obstinate disobedience and uncanonical conduct. Yet these few deserters had kept the west of Scotland in constant ferment and agitation, complaining of sufferings that never, in reality, existed; and who were perfect types of what two apostles call "raging waves of the sea, foaming out their own shame, wandering stars, wells without water, clouds that are carried with a tempest, to whom the mist of darkness is reserved for ever." So destitute were these wandering stars of all christian graces, that they might be compared to dried up springs, to clouds that are void of refreshing moisture, but replete with noxious vapours, blasting and destroying all with whom they come in contact, a withering tornado, through whose ministrations the fruits of the Spirit—faith and obedience—are no more to be expected than fruit from a dead and sapless tree. They were, in reality, enemies to their country's peace and liberty; and they occasioned more bloodshed, arbitrary and severe measures,

more trenching upon the liberty and freedom of the people, by their restless, lawless, discontent and insubordination, than the kingdom would otherwise have known.

ABOUT THIS TIME Gilbert Burnet had made himself so famous by his voluntary advice to statesmen and prelates, that he says, those to whom belonged the chair of a professor of divinity in the university of Glasgow "chose me, though unknown to them all, to be professor there," and then only at the age of twenty-seven! He farther modestly informs us, that "there was no sort of artifice or management to bring this about; it came of themselves; and they did it without any recommendation of any person whatsoever. So I was advised by all my friends to change my post and go thither. This engaged me both into much study, and in a great deal of business. The clergy came all to me, thinking I had some credit with those that governed, and laid their grievances and complaints before me. *They were very ill used*, and were so entirely forsaken by their people, that in most places they shut up their churches; *they were also threatened and affronted on all occasions.*" On the other hand, he says, the gentlemen of the country complained of the vices and follies of the episcopal clergy, and he could not help believing a great deal of it to be true; and yet he afterwards, in the same paragraph, says, that he heard so many *lies* on both sides, "that he mistrusted every thing he heard¹." But it is remarkable that of all the "complaints" and "lies," he never descends to particulars, and never gives any *instances* of vicious or scandalous clergymen, as he infallibly would have done had there been but a single example; but he constantly deals in generalities and vague declamations, for the sake of justifying the Indulgence. Upon his translation, his friend, the commendator Leighton, said to him—"Sir, you are now brought into an important post, where you have a good opportunity of doing great service to God and your country, by instructing and preparing persons for the sacred office of the ministry. It will require all your care and constant attendance. I hope you will mind it and keep close to it, and *not meddle* with public affairs and transactions²."

THIS ADVICE from the commendator was the more necessary inasmuch as vain-glory and malignity were the predominant features of his character, and sir Alexander Brand³ says of him, "that he spoke evil of other men rather than good, or, if

¹ Own Times, i. 525.

² Cockburn's Specimen, &c. p. 45.

³ Second Specimen of the Candour and Integrity of Burnet, &c. p. 11.

you please, he gave the dark side of their characters without the bright side ; that he concealed the good, where good was visible in any man's life, and chose to speak evil ; this is so evident in his history, that it even runs through every branch of it ; yet to those who knew him this was no wonder, his temper being hot and positive, resenting and unforgiving, to a degree not to be vindicated ; that he pursued his private interest at the expense of virtue, has been, as I am told, a known part of him ; and that he opposed other men's interest even in their pursuit of just claims.—Once disobliged and always an enemy, is, I doubt, too much due to the memory of his lordship."

WHEN LEIGHTON had laid his plans before the king, and got his concurrence, for he would have agreed to any scheme that would have relieved the people and given his kingdom peace, he returned home ; and his first endeavour, we are told, "was to generate such a spirit in his diocese as should favour his conciliatory operations ; such a genial atmosphere of holy charity, if the expression may be allowed, as should suit with the medicinal process he had instituted for restoring the health of the country¹." He accordingly removed to Glasgow to administer the affairs of that diocese, for he was never formally translated to that see ; and he immediately summoned a synod of the clergy, who were loud and unanimous in their complaints against the presbyterians in their several parishes for the ill usage which they received. All the consolation that these persecuted men received from their commendator, who is represented as such a specimen of sanctity, mortification, and self-denial, was to bear the cross with patience, and have recourse to prayers and tears, when they were daily plundered, robbed, and wounded to the danger of their lives, by the fanatics who were so much more dreadful than other robbers, that they associated in troops like banditti, and committed these outrages under pretence of conscience and "in the name of the Lord." They were the more emboldened to commit assaults and robberies, by the consciousness that they had a friend in the commendator and also at court, who would ascribe their atrocities to zeal for religion, and who would under that plea screen them from the punishment of the civil magistrate. It was insulting their distresses to advise them to fast and mortify the flesh, when they had been robbed and plundered of all their living ; it would have been more consistent to have seen the laws for their protection enforced, and their houses made their castles, whereas no episcopal clergyman could lay his

¹ Pearson's Life of Leighton, lxxix.

established church, but which had more of a political than of a religious aspect. It narrates, that "seeing the laws of the kingdom have declared a withdrawing and not keeping of and joining in these meetings, to be *seditions* and of dangerous example and consequence, his majesty conceives himself also bound in conscience and duty to interpose his authority that the public exercises of God's worship be countenanced by all his good subjects, and that such as upon any pretext do *disorderly* withdraw, be by the censures of the law made sensible of their miscarriages, and by the authority of the law drawn to a dutiful obedience to it." Then follow the penalties, and a clause which shews that political disaffection was more guarded against than any indisposition towards religion; which, considering the obstinacy of human nature, this act was not much calculated to exalt. If any one absented himself twelve months from his parish church, sheriffs were authorised to present such an one to the privy council, when he was to be required to subscribe the following bond:—
 "I oblige myself that I shall not, upon any pretext or colour whatsoever, *rise in arms* against the king's majesty, or any having his authority or commission, *nor shall assist nor countenance* any who shall rise in arms."

SOME of these acts are disgraceful to a christian legislature, and are naturally commented upon with great severity by presbyterian writers; but they never consider that their own fundamental principle of *resistance* to the powers that be, and of which they never lost sight, was the CAUSE of the severities which were practised on them, and that whilst they were complaining of oppression, they themselves were persecuting and oppressing in the most cruel and wanton manner all the peaceable clergy in the disaffected districts: even their friend and apologist, Gilbert Burnet, says that "the outrages of these fiery zealots were such that worse could not have been apprehended from heathens."

"Thus," says the author of the Memoirs, "these fanatics wronged their country, not only in breaking the good old laws, but in occasioning the making of too severe new statutes. And yet it was said by some, that it had been better to have made the new laws less severe, that they might have been the more severely observed; and that their laws were made so severe, upon *design*, that they might *not* be observed; and that the *fanatics might clearly see that the grandees were not in earnest*¹." The opposition made by the primate to the Assentory

¹ Memoirs of the History of Scotland, p. 190.

Act had created a misunderstanding betwixt him and Lauderdale, and which the subsequent conduct of that statesman tended considerably to widen. Indeed, says an anonymous author, he "now took a contrary course to obtain the same end, and to make good what he had threatened upon the restoration of episcopacy; for he, with his creatures and followers, and a set of men of his principles, screwed up the laws against dissenters to a higher pitch than before, but with a far greater design to load the church with the scandal of severity, than to rectify the disorders of the times, and the unaccountable methods of a giddy-headed people. Thus the ecclesiastical establishment had to grapple not only with the sober as well as the wild presbyterians and missionaries from Rome, and other despicable fellows in their shape, but also with bosom enemies, and some who owed most to the royal bounty, and their underlings¹."

INTO THAT ACT which subjected the field preachers to the punishment of death, it is said Lauderdale inserted, with his own hand, a clause which protected the papists. His object in this partiality was to acquire merit with the popish party and the duke of York, whose religion was as yet unsuspected in Scotland; although to Lauderdale and the court of St. James's it was no secret. Charles was not only displeased with Lauderdale for his acts of parliament, but his own friends began to cool in their support. He had lost the friendship of archbishop Sharp, Hamilton, Argyle, and Tweeddale, and he therefore called in his brother, the LORD HATTON, to his support in the council.

WHILE STATESMEN were taking these severe steps in hypocrisy, Leighton was endeavouring to conciliate the presbyterians, and he took great pains to soften their fierce opposition. In the first place he invited some of the most eloquent and popular preachers from other parts to itinerate in the western counties, and to preach at different places. Gilbert Burnet was among the number of these preachers, but Leighton could only gain over three of the clergy of his diocese to go round and argue upon the grounds of the ACCOMMODATION, to which they objected as an authorised *schism*, which would eventually have rent the church in pieces. Burnet libels the Glasgow clergy, by saying, "they could not argue much for any thing; and would not at all argue in favour of a proposition that they hated." He proceeds, that "the people of the country came generally to hear us, though not in great crowds. We were indeed amazed to see a poor commonalty so capable

¹ True and Impartial Account, pp. 68, 69.

to argue upon points of government, and on the bounds to be set to the power of princes in matters of religion. Upon all these topics they had texts of Scripture at hand, and were ready with their answers to any thing that was said to them¹. This preaching crusade came to nothing, "for as soon as they were gone, a set of these hot preachers went round all the places in which we had been, to defeat all the good we could hope to do. They told them, the devil was never so formidable as when he was transformed into an angel of light, and the country people jeeringly called them 'the bishop's evangelists!'"

LEIGHTON made another effort, but which likewise failed, because those for whose benefit it was made considered it as merely "a cunning and ensnaring proposal." He himself made a circuit of the archdiocese, and visited the indulged ministers, and tried to gain them both by arguments and by christian gentleness; and intimated to them the proposal of the accommodation which he contemplated, and pledged himself to carry on the negociation with frankness and cordiality. But, says his biographer, "in this embassy of love he was met with *chilling unkindness*. Not a *grain of concession* could be extorted from the covenanters; who probably inferred, from the gratuitous advances made towards them, that the balance in the royal counsels was inclining in their favour. Perhaps, too, they were the more indisposed to appreciate the ingenuousness of Leighton, through the subtilty of factious *emissaries*, [jesuits to wit] who found it an easy task to confirm in their obduracy minds more than half seared by protracted animosities and *rancorous reflections*. They were debarred by an imperious conscience from entering into any terms of composition with the impure spirit which had issued from the bottomless pit, and was blasting their goodly Zion, and they dreaded the condemnation of Saul in the war of Amalek, should *they spare any part of the Babylonish system from utter EXTIRPATION*. Such were their principles, expressed in such language; and consistent with these was the welcome given to the archbishop's overtures for an accommodation. Sometimes, indeed, his condescension was requited with absolute incivility and rudeness. He therefore returned from his apostolic circuit, dispirited, and almost despondent; yet still resolved to try the experiment of a solemn and official congress with the presbyterian leaders; it being possible that some spirits among them of softer mould might be wrought

¹ Own Times, vol. i. p. 535.

upon to entertain his proposals. Should the attempt fail, it would still have discovered to the nation at large *with what party it rested* that the wounds of the church were not healed; and while it *fully acquitted* the episcopalians of intolerance, it would expose the machinations and diminish the credit of the enemies of peace and unity¹. Burnet tells us that *his opinion* determined Landerdale to establish presbytery². He is forced, however, to admit that the love of popularity made their presbyterian leaders resolve to *reject* all propositions, though they could not tell upon what grounds to justify their obstinacy; that they would not make one step towards peace, but rejected the concessions that were made to them, without giving any reason for it, or offering any expedient on their part.

THE BISHOP OF DUNBLANE was now fully empowered by the king and his ministers to offer terms of accommodation to the presbyterians, who evince their gratitude to him for his unceasing efforts in their service, by the most malignant aspersions of his character. Wodrow says, "this year is closed up with a *cunning and ensnaring proposal* from bishop Leighton, now enjoying the bishoprick of Glasgow *in commendam*, for an accommodation and comprehension³." His modern editor, and retailer of bishop Burnet's malignant gossip, says, "it was at first a *snare*, and in the end a source of much suffering⁴." Dr. M'Crie calls it "*a device*, by which many were *ensnared*, and a *division* introduced among the witnesses against the national defection⁵." And Hetherington says, "historical truth condemns his [Leighton's] public conduct as that of a *persecutor*!" But the worst language of all was used by Mr. Stirling, presbyterian minister at Paisley, who, after writing the most infamous libels on all the bishops, says, "It is true, indeed, that Mr. Leighton, prelate of Dunblane, under a jesuitical-like vizard of pretended holiness, humility, and crucifixion to the world, hath studied *to seem* to creep upon the ground, *but always up the hill*, towards promotion and places of more ease, honour, and wealth; and as there is none of them all hath with a kiss so *betrayed the CAUSE* and smitten religion under the fifth rib, and hath been such an *offence to the godly*, so there is none who by his way, practice, and expressions, giveth greater suspicion of a popish affection, inclination, and design. If these men [the bishops] had not put off their own veil, no pencil of the most skilled artist could have drawn them to the life,

¹ Pearson's Life of Leighton, l. lxxx.

² History, ii. 146.

³ Testimony of Associated Synod of Original Seceders, p. 32.

⁴ Own Times, l. 514.

⁵ Ibid. note, ii. 161.

but now, by showing of themselves, they have saved others a labour, or at least made it more easy. And therefore I shall rake no more into this unpleasant dunghill of the vilest vices, which they and their brethren in iniquity (whom, not naming here, doth *not except* from their part of the charge of ambition, pride, sensuality, idleness, covetousness, oppression, persecution, dissimulation, perjury, treachery, and hatred of godliness and good men), have heaped together in their own persons, and transfused to others over all the land. O the immense long suffering and unsearchable wisdom of God! who hearing the cry of these things, stirreth not the zeal of all to *execute his just judgment upon these men*: but it may be that he is ripening and reserving them for a more god-like stroke than any would be acknowledged to be wherein man were instrumental¹." Dr. Cook, a presbyterian, after citing a part of the above atrocious libel, cries shame upon the author, and says, "thus does the rancour of party spirit *eradicate* the spirit of christianity. How applicable to this writer is the warning—'woe unto them that call good evil².'" Leighton's proposal was called an ACCOMMODATION; and the feeling with which the indulged ministers entered into the conference, may be gathered by the "observe" of Wodrow, who says, "the design of this was nothing else but to hook in the presbyterian ministers to an unperceived subjection to bishops. *The snare was seen, and prudently and cautiously evited*³."

LAUDERDALE wrote to Mr. George Hutchison, indulged presbyterian minister at Irvine, Alexander Wedderburn at Kilmarnock, Matthew Ramsay and John Baird at Paisley, and John Gamble at Symington, desiring them to repair to Edinburgh on the 9th of August, to confer on "matters of considerable importance which he had to communicate to them." It appears that the indulged ministers had been presented to all the best livings in the diocese. They obeyed the summons, and the first meeting took place in Holyrood House, in the presence of Lauderdale, Rothes, Tweeddale, and Kincardine. They were met by bishop Leighton, professor Burnet, and Dr. Patterson, dean of Edinburgh. The meeting was opened by the commissioner with a conciliatory speech, who complimented them on their peaceable demeanour since their indulgence. He said he had sent for them to advise with them concerning an accommodation, and to propose an agreement upon joint measures, which might tend to the peace of the church; and

¹ Naphtali, &c.: postscript, pp. 341-42.

² History of the Church of Scotland, iii. 317.

³ History, ii. 177.

besought them to assist the royal commissioners, in conformity with his majesty's earnest wishes, to appease the commotions of the church, and to settle it anew on a basis of mutual concession. Bishop Leighton then addressed them, and dwelt feelingly on the sin of schism, and the calamities which had already resulted from the exasperation of religious animosity; evils which the good bishop's present proceeding was more likely to aggravate and prolong than to assuage and allay¹. The following is part of his speech on this occasion:—

“THE QUESTION betwixt us is not concerning bishops governing absolutely by themselves and their delegates, but concerning bishops governing in conjunction with presbyters in presbyteries and synods; of which we affirm that it is neither contrary to the Scriptures, nor the example of the primitive church, but most agreeable to both: if any think otherwise, let him produce their evidences of Scripture and antiquity. If they say, it is not enough, to make such a form lawful, that it is not contrary to Scripture, but there ought to be an express command or rule in Scripture to warrant it, they will sure be so just as to be subject to the same law themselves. Let them, then, *produce such an express command or rule* for their own model of kirk sessions, presbyteries, synods, provincial and national, and a commission of the kirk in their several dependencies and subordinations, for the ordinary and constant government and exercise of discipline in the church, and the necessary changing of the moderators in these meetings, excepting only that of the kirk session, wherein the minister is constantly to moderate; for without such an express rule as this, a bishop or fixed president may very well consist with that whole frame they contend for; and it is really and actually so at this present in this church, and they stand so much the rather obliged to bring a clear command for these judicatories and their subordinations, because they affirm them to be of unquestionable divine right, and the very kingdom of Christ upon earth, and the only lawful and absolutely necessary government of the christian church, whereas the assertors of other forms do not usually speak so big.” He then successfully combated the opinion that the covenant as at first sworn was still binding on the nation, and then proceeds.—“These things, to my best discerning, are truths; and if they be indeed so, I am sure are pertinent truths, towards the healing of our sad divisions; but if any like to be contentious, I wish I could say of

¹ Wodrow, ii. 478.—Pearson's Life of Leighton, i. lxxxii.

this church, we have no such custom : but this certainly may be said, that there is no custom doth more disedify the churches of God, and less become the followers of the Prince of Peace. I shall only add one word, which I am sure is undeniable, and I think is very considerable, that he that *cannot* join with the present form of this church, *could not* have lived in the communion of the christian church in the time of the first most famous general assembly of it, the Council of Nice (to go no higher up, though safely I might), he must as certainly have separated from the whole catholic church in the days of the holy bishop and martyr, Cyprian, upon this very scruple of the government, as Novatus did upon another occasion¹."

WODROW SAYS the presbyterian ministers made no reply to the bishop's speech ; although Lauderdale pressed them to express their sentiments freely. The meeting was therefore adjourned for that day ; but they went next morning (perhaps after having conferred together) to the archbishop's apartment, and argued at length on the propositions which he had submitted to them ; and they requested his lordship to give them a copy of them in writing, which he afterwards did. They declined to give any positive answer to the bishop's propositions, upon the reasonable ground that they had not been sent there as deputies by their brethren, but had come in obedience to the commissioner's summons ; and that they could not take upon themselves to answer for men who knew nothing of the stipulations. The reasonableness of this position was obvious, and they were requested to confer with their brethren, and meet at the same place with the bishop on the first of November. Lauderdale made the whole dine together, and he himself joined them after dinner ; but they expressed so much rudeness even before the king's representative, and those who had procured all these concessions for them, that he " could scarce refrain himself from flying out, for their behaviour seemed to be both rude and crafty," although the good bishop had " prepared him for it, and pressed them not to give them a handle to excuse their flying off by any roughness in his deportment towards them²."

THE APPOINTED meeting in November did not take place ; but the bishop, professor Burnet, and another, met about thirty of the presbyterian ministers at Paisley on the 12th of De-

¹ Appendix to Pearson's Life of Leighton.

² Burnet's Own Times, i.—Pearson's Life of Bishop Leighton.—Wodrow's History, ii. 178.

cember, with whom he had two long conferences. The bishop made an able and eloquent speech, in which he went over all the former ground; and chiefly dwelt upon the unreasonable and blameable pertinacity of the ministers in conceding nothing on their side, but exacting the most unbounded concessions on the part of the church. He asked them whether or not they would have held communion with the universal church, when it met by its delegates at the council of Nice; and yet he said episcopacy was *then of a lordlier* character than it now affected in Scotland. On the other side, it was contended that archbishops were unknown to the primitive church; that bishops were parochial, and not diocesan; that two might act together in one church; and that they were elected by their presbyters, to whom they were accountable for the discharge of their functions. To these objections Burnet replied, either controverting the facts asserted, or impeaching the conclusions drawn from them. During the theological combat bishop Leighton's nose accidentally bled; and it was alleged to be ominous of the badness of his cause, and a symptom of the presbyterians' triumph. This meeting ended more unsatisfactorily than the former, and each claimed the victory; and not a step was taken by the presbyterians to meet the episcopalians, who carried home nothing but humiliation, after going *more than* half way to embrace their froward and ungracious brethren¹. Bishop Leighton now delivered certain proposals in writing to the ministers for their consideration; and requested that an answer might be given at another meeting to be held in Edinburgh in January of 1671. They are (as under noted²) sufficiently humiliating to the church, and

¹ Wodrow.—Pearson.

² 1. THAT IF THE DISSENTING BRETHREN will come to presbyteries and synods, they shall not only not be obliged to renounce their own private opinion ancient church government, and swear and subscribe any thing thereto, but shall have liberty at their entry to the said meeting to declare and enter it in what form they please. 2. That all church affairs shall be managed in presbyteries and synods, by the free vote of presbyters, or the major part of them. 3. If any difference fall out in the diocesan synods, betwixt any of the members thereof, it shall be lawful to appeal to a provincial synod, or their committee. 4. That intrants being lawfully presented by the patron and duly tried by the presbytery, there shall be a day agreed on by the bishop and presbytery for their meeting together for their solemn ordination and admission, at which there shall be one appointed to preach, and that it shall be at the parish church where he is to be admitted, except in the case of impossibility or extreme inconvenience, and if any difference fall in touching that affair, it shall be referable to the provincial synods, or their committee, as any other matter. 5. It is not to be doubted but my lord commissioner his grace will make good what he offered ancient the establishment of presbyteries and synods; and we trust his grace will procure such security to these brethren for declaring their judgment, that they may do it without any

such as no true son would have proposed; but he was not entitled to have taken so much upon himself, without, at least, having consulted with the primate and the other bishops, all of whom stood aloof from this accommodation, and would take no share in any of the conferences.

ACCORDING to this Leightonian scheme, episcopacy was to have been melted down into the dregs of presbytery; and it would have been a noble and edifying hierarchy, where the bishop was to have been a perfect cypher, without even the authority of a modern moderator in a general assembly. It is to be observed, however, that bishop Leighton acted entirely *on his own* responsibility, for he had not consulted any of his brethren on the subject, nor made any movement towards officially ascertaining their sentiments; but they were altogether opposed to it, and the primate made no secret of his decided opposition to it. The accommodation would have come to nothing, even if the presbyterians had accepted the liberal terms offered to them; because there were thirteen bishops opposed to it, as well as the whole of the inferior clergy, as a measure of expediency that contained the seeds of schism and division within itself. But providentially the presbyterians themselves were dissatisfied with bishop Leighton's proposals; for, true to their principles, they would not admit of even that shadow of episcopacy which the bishop wished to preserve. They considered it a snare—a specious appearance of liberality without the substance, by which that generation of presbyterians might be laid in their graves in peace, and in the next episcopacy would take root downward and bear fruit upwards. I do not think that Leighton had so much of the jesuit about him, and they ascribed evil motives to him which he did not entertain towards them. The presbyterian ministers had a meeting at Kilmarnock a few days afterwards, at which the bishop's proposals were discussed; when it was “unanimously agreed that the last propositions were more unsatisfactory than the former proposals¹.” They drew up a counter proposal in writing, and deputed Hutchinson, Wedderburn, Miller, Maitland, and some others, to attend on the commissioner's summons at Edinburgh with instructions to deliver their terms,

hazard in contravening any law, and the bishop shall humbly and earnestly recommend this to his grace. 6. That no intrant shall be engaged to any canonical oath or subscription to the bishop, and that his opinion anent that government shall not prejudice him in this, but that it shall be free for him to declare.—*Wodrow's History*, ii. 181.

¹ *Wodrow's History*, ii. 181.

and with power to make such additions as they might find necessary.

1671.—A meeting took place betwixt bishop Leighton, professor Burnet, and others, on the one side, and Mr. Hutchinson, and the other presbyterian ministers, on the other, in the house of the earl of Rothes, the chancellor, on the 11th and 21st of January, in the presence of the chancellor, the duke of Hamilton, the earl of Tweeddale, and some other councillors. This treaty was abruptly brought to a conclusion by Hutchinson returning this "short and dry answer," as the bishop calls it—"we are not free in conscience to close with the propositions made by the bishop of Dunblane as satisfactory." Leighton begged for an explicit statement of their reasons for persisting in a course so contrary to the peace and welfare of the church, but they excused themselves from all argument on the subject, as it was not safe, they said, to argue against law. Leighton said, that "since the government had set on a treaty with them in order to the altering of the laws, they were certainly left to the full freedom of arguing against them. He offered them a public conference in the hearing of all that had a mind to be rightly informed: the people were drawn into those matters so far as to make a schism upon them; it was therefore reasonable that they should likewise hear the grounds examined upon which both sides went." Hutchinson refused this, and said, "he was but one man; and that what he said was but in the name of his brethren, who had given him no farther authority¹." Leighton then asked if they had any proposals on their side to make towards the healing of our breaches. Hutchinson answered that their principles were well enough known; but he had nothing to propose. "Mr. Burnet insulted a little on this, and jeered them, because they would not appear in their cause, which they called the 'kingdom of Christ.' Upon this Mr. Wedderburn accepted the challenge, provided the chancellor and councillors present would allow him; and offered to prove presbyterian principles to be agreeable to Scripture, reason, antiquity, and the judgment of our reformers from popery: but the allowance was not granted." So this proposed accommodation broke up; but the ministers did not present the counter-project which had been agreed to at Kilmarnock².

BISHOP LEIGHTON was now convinced that this untractable

¹ Burnet's Own Times, i. 541.—Pearson's Life of Leighton, xc. xci.

² Wodrow's History, ii. 111-182.

race would accept of no terms which came short of the utter extirpation of episcopacy; indeed, his own proposal went far to accomplish it, and their counter-project would have levelled it with the dust. Immediately before the breaking up of the meeting, he rose and spoke as follows:—"My sole object has been to secure peace, and to advance the interests of true religion. In following up this object I have made several proposals, which I am fully sensible involved great diminutions of the just rights of episcopacy. Yet since all church power is intended for edification, and not for destruction, I thought that in our present circumstances episcopacy might do more for the prosperity of Christ's kingdom, by relaxing some of its just pretensions, than it could by keeping hold of all its rightful authority. It is not from any mistrust of the soundness of our cause that I have offered these abatements; for I am well convinced that episcopacy has subsisted from the apostolic age of the church. Perhaps I may have wronged my own order in making such large concessions; but the unerring discernor of hearts will justify my motives, and I hope, ere long, to stand excused with my own brethren. You have thought fit to reject our overtures, without assigning any reason for the rejection, and without suggesting any healing measures in the room of ours. *The continuance of the divisions, through which religion languishes, must consequently lie at your door.* Before God and man I wash my hands of whatever evils may result from the rupture of this treaty. I have done my utmost to repair the temple of the Lord, and my sorrow will not be embittered by compunction, should a flood of miseries hereafter rush in through the gap *you have refused* to assist me in closing¹."

Thus, says bishop Burnet, "was this treaty broke off, to the amazement of all sober and dispassionate people, and to the great joy of Sharp and the rest of the bishops. . . . The fierce episcopal men will see how much they were to blame for accusing that apostolical man, Leighton, as they did on this occasion; as if he had designed in this whole matter to betray his own order, and to set up presbytery. The presbyterians may also see how much their behaviour disgusted all wise, moderate, and good men; how little sincere and honest they were in it, when the desire of *popularity* made them reject propositions that came so home even to the maxims they had set up, that nothing but the fear of offending, that is, of losing the credit they had with their party, could be so much as pre-

¹ Pearson's *Life of Leighton*, xci.

tended for their refusing to agree to them¹." So, after all Burnet's being "the man" and the tool of Tweeddale and the presbyterian administration—after all his principles and zeal for the church, and his advice "signifying something," their fine scheme for presbyterianising the church came to nothing, and all from the deeper cunning of their adversaries, who well enough saw its incongruity, and feared that he might "be the man" also to entrap them into an homologation, as they called it, of prelacy, which they considered as the Babylonish garment; the Achan in the camp, that was to produce similar fearful evils as befel the Jewish church.

THE PRESBYTERIANS were, however, under needless alarm that Leighton's Accommodation was intended to be a snare to hook them into episcopacy. No, it was a real stab under the fifth rib at the church herself; and she was indebted to Lauderdale's sagacity for seeing, "and prudently and cautiously eviting" it. When at London bishop Leighton had been drawn into a conspiracy, perhaps innocently, for he was totally unacquainted with the wisdom of the serpent, by the earls of Tweeddale and Shaftsbury, and sir Robert Murray, who drew up a set of erastian regulations for the church, which would have effectually subverted episcopacy, and established presbytery on an erastian foundation. It was, in fact, the basis on which bishop Leighton had proceeded in his negotiations and conferences with the presbyterian ministers. They proposed that the church should be governed by synods and presbyteries; but allowing no power to the bishop, who was to be degraded to the position of a constant moderator, as stated in the written proposals at Paisley. When any irregularity should occur, the bishop was to enter a demurrer till he acquainted the king, who was to interpose *his* authority; which was, in fact, presbyterial government, flowing from the king, as the source and fountain of ecclesiastical power. This was truly to take the crown from Christ's head and put it on king Charles, and truly might such presbyterian ministers be called the king's curates. The conspirators surreptitiously procured the king's consent to a set of rules and instructions for the Scottish bishops, written originally in the earl of Tweeddale's hand, and a copy of which was obtained by archbishop Paterson in the year 1680. The original paper was deposited at Ham, and the copy which he took is in the episcopal chest at Aberdeen, in the archbishop's own hand-writing, and from which the following is copied. "But Lauderdale had the

¹ *Own Times*, i. 542-543.

address to ward off the blow at that time very warily, by obtaining a private instruction from the king, referring all to his discretion, when going minister to Scotland." The following are copies of the documents referred to:—

"*Vera copia*—taken by me [archbishop Patterson], 3d of May, 1680, from the original at Ham. Some constitutions and orders settled and emitted by his majesty concerning the administration of the internal government of the church of Scotland, and the persons employed therein.

"CHARLES R. — We, having taken into our serious consideration how highly important it is for the preservation and advancement of true religion and the peace of the church and kingdom of Scotland, that the affairs and government ecclesiastical therein established be duly managed, do allow and approve the practice of the bishops these years past, in that they have exercised the government and discipline of the said church, in conjunction with presbyters in their accustomed meetings of presbyteries and synods.

"1. AND FOR establishment of the same good order and practice in time to come, it is our will, and we do ordain, that the said bishops shall continue to manage all church matters with the advice, consent, free vote, and assistance of the presbyters or major part of them, in the said meetings of presbyters and synods, to the end that discipline may be regularly and exactly exercised, and all scandalous offences and offenders duly punished. We therefore will and ordain, that presbyteries shall ordinarily meet once a month, and the diocesan synods once a year, in May or June, in their accustomed places.

"2. CONCERNING ordination of presbyters, it is our pleasure that intrants to the ministry, being lawfully presented to a parish church, and bringing with them certificates of their having taken the oath of allegiance and supremacy, be duly tried and examined in the usual manner, and if thereupon they shall be in all points approved and found sufficiently qualified by the bishop and presbytery within which the said parish church lies, an edict shall be duly served at the same, and a day appointed by the bishop and presbytery for their meeting there in order to the ordination and admission of the person so presented and appointed, and that one of the presbyters be appointed to preach, and the people of the parish warned to convene at a fit hour, for the exercise of divine worship, and to see their designed minister solemnly ordained by the imposition of the hands of the bishops and presbyters

there present, and be exhorted to yield due reverence and obedience to him and his ministry in the same.

" 8. BUT seeing the rules and duties of the ministerial office are fully expressed in the form of ordination¹, and that the intrant accordingly promise to observe them, our will is, that he having given his oath that he is free from all simoniacal paction, no other oath or subscription shall be superadded or required of him.

" 4. WE further ordain, that the bishops reside constantly in their dioceses, except upon urgent occasions; and that being in their dioceses, they preach every Sunday in some church thereof, unless they be hindered by old age, or sickness, or some invincible impediment.

" 5. AND we do will and ordain, that every minister with his church-session, be careful of the contribution for the poor, and their constant relief, according to the ability of the parish; and likewise of the preserving and repairing the fabric of the church, in the way appointed by law; and that they take notice of all public scandals and gross offences within the parish, redressing such offences as they have been in use to censure and correct, and reserving and delating others to the presbytery, as they have been accustomed to do, being always accountable and subject to the revision and recognition of the presbytery, in all things acted by them at their usual meetings, as the presbyters are to be accountable for all their actings to the bishop and diocesan synod.

" 6. AND to the end that good order may be the better preserved in the parochial meetings aforesaid, we do ordain, that besides every bishop's particular visiting the parishes within his diocese, in which they ought not, and it is hoped will not, be deficient, there shall be frequently, in the summer season, more solemn and indicted visitations of such churches as desire or need them, by the bishop and presbyters, together with so many of the presbyters and moderators as can conveniently meet at the time and places appointed.

" 7. WHEN we shall think fit to call a national synod of the church of Scotland, it shall consist of the archbishops and bishops, deans of cathedrals, moderators of presbyteries, and one presbyter or minister out of each presbytery, chosen by the major part of the same, of one or two from the university

¹ " *Notes.* There is no form of ordination appointed to this day."—This *note* is by archbishop Patterson; the form in use was, and still is, the English Book of Ordination; it must therefore have been a form intended for this special regulation.

of St. Andrews, one from Glasgow, one from King's College, one from Marischal College at Aberdeen, and one from the college of Edinburgh; we, or a commissioner from us, being always present. And when we shall be personally present, such of our privy council as shall have place and vote in the said national synod, as we shall think fit to choose, which shall not exceed the number of fifteen; and when we send a commissioner to it, those of our council, chosen by us as aforesaid, shall be present, and assisting to our commissioner, and shall sit and vote in all things propounded in the synod, they not exceeding the aforesaid number. And the synod thus constituted is to meet at such time and place as we, by our proclamation, shall appoint; and is to debate, treat, consider, consult, conclude, and determine upon such matters, causes, and things, concerning the doctrine, worship, discipline, and government of the church, as we or our commissioner shall propound, or cause to be propounded, to the consideration of the said synod; and whatever shall be concluded by the vote of the major part of the synod, and shall be consented to by us or our commissioner, shall have the full force of an ecclesiastical law or constitution of the church of Scotland; and all our subjects, ecclesiastical and civil, in that our kingdom, shall in all matters ecclesiastical be subject to the judgment, decision, and censure of the said national synod; and all inferior ecclesiastical meetings and jurisdictions in the said church shall, in all their actings and determinations, be accountable to it, and censurable by it, according as we or our commissioner, and the said synod, shall see meet to take recognizance and revision of the same.

"8. AND upon the due publication of these regulations and orders, our will is, that all the ministers of the church of Scotland shall thenceforward resort to the meetings of the presbyteries and synods to which they belong, and that none of them shall be allowed, upon any cause or pretence whatever, to plead exemption from the same.

"THESE are the particulars, which we have thought fit at present to ordain concerning church affairs in Scotland, as we likewise intend, by the assistance of God, to be careful in time coming, to add and enact such further ordinances and constitutions as we shall judge needful or useful for the promoting of piety and true religion, and for the establishment of good order and peace in that church; and these orders and constitutions being first recorded in the books of our privy council, and duly published, we do ordain to be observed and obeyed by all our subjects in that our kingdom, and for the

recording and publishing of the same this shall be a sufficient warrant.

“ Given at our court at Whitehall, the 6th day of July, 1670, and of our reign the 22d year.”

THE FOLLOWING observations were made by archbishop Patterson:—“ These are written with earl Tweeddale’s hand, and were consulted and contrived by his lordship, earl Shaftesbury, sir Robert Murray, and bishop Leighton, by whom duke Lauderdale was then beset, as will appear by a copy of a paper written by bishop Leighton’s hand, here insert, and which original paper the duke of Lauderdale hath still in his custody. The tenor of it was as follows; viz.—

“ THAT the bishops shall manage all church matters, with the advice, consent, and free vote of presbyters, in their several meetings of presbyteries and synods; it being always provided, that they shall vote nothing contrary to sound religion, or to the established laws of this kingdom, which, though it is scarce to be supposed that they will, yet if any such thing should fall out, in that case the bishop is to enter a demurrer, till the matter be represented to a superior synod of the church, or to his majesty by the council.

“ AND because national synods cannot frequently be held, it were possibly very expedient that the provincial synods were appointed to meet *pro re nata*, either upon such occasions as this, or any other important concernment of the church.”

“ NOW, BY ALL THIS, an apparent plot was formed, and design laid and contrived, to subvert episcopacy in the church of Scotland, and to restore presbytery under an erastian regulation; for bishops here were to have no negation over the meetings or actings of the presbyters; nor were these presbyters to take any oath of canonical obedience, which is cut off by the foresaid orders and regulations. All the power in these ecclesiastical meetings which a bishop was to have, was no more but in case of presbyteries voting any thing contrary to sound religion and the established laws of the kingdom, to put in or enter a demurrer, till the matter be represented to a superior synod, or to his majesty, and that not by the bishop himself, but by the council. Is not this a very agreeable proposal from a bishop, in behalf of the church?

“ HIS GRACE the duke of Lauderdale well perceiving the ill tendency of this design and method, which he foresaw would entirely ruin and subvert episcopal power and jurisdiction, had no other way to stave off and prevent the ill effects, but

by procuring a private instruction from the king when he went commissioner to Scotland, whereby the matter is put into his grace's power and choice to publish, or enact these orders and regulations, as he should see cause, in the then parliament which was to be holden in Scotland, and so warded off the blow, which struck at the very root and foundation of the church, by not mentioning nor enacting them, nor proposing them to be considered or enacted either by parliament or the privy council. The tenor of this instruction follows in this exact copy, whereof his grace still preserves the original:—

“PRIVATE INSTRUCTION.

“CHARLES R.—Whereas we have delivered a paper unto you, signed by us, containing some ecclesiastical constitutions and orders, to be recorded in the books of our privy council, and duly published, you shall either impart the same to be recorded and published, or forbear it totally; or shall do it soon after your arrival, or delay it to any other time, as you shall judge fit; and if before the end of this session of parliament, you shall think fit to record or publish them, we do hereby authorise you to endeavour to pass such of them into acts of parliament as you shall judge expedient.

“You shall, with the advice of such as you shall think fit, consider whether or not it be fit, that to the end the memory of the late unlawful covenants may not be perpetuated, an act be passed, by which the declaration against the covenants is not to be required of any who were not eleven years old, when the covenants were last renewed in the year 1650, and so were not in a capacity to have taken them; nor required of any who shall declare he never took these covenants, nor any of them, and for the same reasons that the declaration shall not be required of any after the time limited in England, and accordingly, you shall either endeavour that an act be passed to that effect, or forbear the same.

“You are to require the lord archbishop of St. Andrews to allow and authorise the transportation of such ministers as shall be lawfully presented to any of the churches within the diocese of Glasgow, and approved by the bishop of Dumblane, out of any church within the diocese of St. Andrews; and that he inform the bishops within his province to do the like.

“If you find it fit to publish our orders and constitutions, you shall in our name signify to the archbishops and bishops, that our pleasure is, that no minister be prejudiced nor molested for his private opinion concerning church-government,

providing he joins with the church-meetings, and submits to the present government, and in his preaching, and in all other parts and exercises of his ministry, and in his whole conversation, do behave himself peaceably and orderly, as becometh a minister of the gospel. Given at our court at Whitehall, the 7th day of July, 1670, and of our reign the 22d year. C. R.¹

THIS IS ANOTHER of the many evils arising out of the Assertory Act, which, in fact, threw the whole ecclesiastical power into the hands of the sovereign, or the minister for the time being. We are, however, indebted to Lauderdale for detecting and dissipating this erastian conspiracy; whose prudence and good conduct upon this occasion is a curious contrast to his threat of thrusting the church under her fifth rib, which, if true, we may hope was one of those sins of infirmity, of which it is said he was often guilty, of "speaking rashly and unadvisedly with his lips." Indeed, Lauderdale's whole administration is a problem very difficult to solve: both parties have generally accused him of having betrayed them, and his conduct too frequently gave just grounds for the suspicion. In this instance, however, he rendered the church a real service, when she was in a fair way of being betrayed by one of her own latitudinarian pastors.

THE INDULGENCE, the Assertory act, and the Accommodation, were all disjointed parts of the same system of persecution under which the church laboured at that time. The sufferings of the episcopal clergy were greater, we are told, than might have been expected under heathens; and a few instances have been produced from the evidence of an enemy, by whom we may be sure they are not overdrawn, and Burnet, in his Vindication, says, "from these things I may well assume that the persecution is mainly *on the conformists' side*, who, for their obedience to the laws, lie open to the *fury* of their enemies." But the doctrine of resistance to lawful authority is subversive of all morality and government; for if we may resort to arms to coerce and punish our governors whenever we imagine they are in fault, anarchy would soon be introduced, and consequently the greatest of all tyrannies. It was upon this principle that the presbyterians acted at that time, but as they were now unable to coerce the government, they spent their fury on their fellow subjects, the established episcopal clergy; on whom they considered it their duty to inflict "condign punishment." But the whole mystery of jesuitism does not

¹ MSS. Episcopal Chest at Aberdeen, No. B 4.

discover a more destructive principle to peace and good order, than that doctrine originally promulgated by John Knox, of its being lawful for private persons to execute vengeance on public delinquents when they consider the magistrate to be remiss in his office. This species of "*wild justice*," as it is now called, puts a sword into a madman's hand, that exposes every man to the dagger of the assassin and the torch of the incendiary, and it is a direct contradiction to the moral law and the appointment of God. The sovereign is "the minister of God" for good to the obedient subject; but he is "a revenger," who bears the sword by divine authority, to execute wrath upon subjects who do evil. The divinely inspired teachers of religion taught obedience to the sovereign in every country wherever they introduced christianity, and commanded their disciples to live godly and quiet lives under their heathen governors, and not to persecute or disturb their fellow subjects even in the exercise of their heathen rites and worship. But in Scotland *the church* has ever been the subject of persecution, both of the clergy and the faithful people, of which the "turning off" of archbishop Burnet, and the personal assaults and house-breaking of the clergy in his diocese, are prominent instances. Their characters and reputations also have, ever since the restoration, been objects of the most unmitigated slander, not only by their avowed and open enemies, but by their pretended friends, particularly by him who was presbyterian in heart though not in habit.

THE ACT against conventicles was a disgrace to the government that introduced it into the legislature; but before they consented to it, the parliament that passed it must have been driven to desperation by the wild fanatics who were the objects of it. The apostles recommended to the church submission and obedience to the laws, at a time when those that were saved by baptism were living under a heathen government, and therefore they were exposed to the imposition of laws that might be contrary to their christian profession, and so might become great trials of their faith and patience. The covenanters spoke of our blessed Lord as of a king at the head of legions of fighting saints, and were always ready to draw their swords whenever an opportunity offered of acquiring the supremacy over their civil or ecclesiastical rulers, for that was the real meaning of their crowning king Jesus, and thereby of maintaining their genuine popish original. They entirely mistook and misapplied that text, "Ye have not yet resisted unto blood, striving against sin;" which means the suffering our *own blood* to be shed by persecutors, and to suffer the worst

from our malicious adversaries, in imitation of those primitive worthies who confessed they were strangers and pilgrims on earth, and of Christ himself, who witnessed a good confession before Pilate, and "resisted unto blood." But the covenanters imagined that resistance unto blood meant an armed resistance to the powers that be, a continual contradiction of all lawful commands that did not immediately correspond with their own ideas of the fitness of things; hence their ministers went armed to their pulpits, and the people to their field meetings, and their ministers were the foremost in all their insurrections and engagements with the king's troops. Therefore we must arrive at the unpleasant conclusion that a religion in which the breach of one at least of God's commandments was taught and practised, can neither have enjoyed divine inspiration, nor have been accompanied by divine grace. The wilful and habitual breach of any one of the commandments, justly renders a man a transgressor of the whole table of the divine law, even although he should not be guilty in other particular instances; for so long as a haughty and contentious spirit in religion prevents self government, all pretences to godliness and superior sanctity are but vanity and hypocrisy. Such carnal wisdom descendeth not from above, but is founded in sensual and worldly principles, and the practice resulting from it is, in the words of the apostle, "earthly, sensual, devilish."

THE ASSERTORY ACT was a most daring encroachment upon the liberty of the church, and in fact it was calculated most effectually to have extirpated her; but although the state can deprive bishops of their jurisdiction as respects any particular diocese, yet it cannot deprive them of their episcopal character; and their ordinations and all purely episcopal acts are as valid as if they still retained their jurisdiction. No authority less than that which *gives* a commission can stop the execution of it. Till the conversion of Constantine, all the states in the world attempted to stop the apostolical commission, which, if they had had power to have effected, christianity would have been strangled in the birth. Christ instituted a spiritual relationship or marriage betwixt the bishop and his flock, whom, as his ambassador, He empowered to marry the church in His name and stead; and he promised to ratify the marriage in his own person for ever in heaven, where the eternal marriage-feast will be celebrated. The diocese of Glasgow having been married by proxy to Christ in the person of their archbishop, the "turning off" of Dr. Burnet was a putting asunder those whom God had joined

together; and Dr. Leighton's having been put into the bishoprick, was like a woman marrying a second husband whilst her first one lives, and has not been divorced for a just cause and by a competent authority, and of course made guilty of the same sin. Presbyterian authors blame archbishop Burnet as mean-spirited, for meekly obeying the lawful ordinance of his sovereign; whereas one of their ministers would have mustered their fighting "angels" and agitated the people.

THE INDULGENCE was a most insidious device of the presbyterian party for dividing the church, in the first instance, and, in the second, of completely presbyterianising it upon erastian principles. Although the established church had no other confession of faith than "the uncatholic one of the Scotch reformers," yet she required no other terms of communion but the apostles' creed; whereas the indulged ministers required a multitude of articles, not merely for peace and unity, but as a test of orthodoxy. They required subscription to the league and covenant, which was condemned by law and burnt by the common hangman, and to all the articles and propositions contained in the Westminster Confession of Faith, and the larger and shorter catechisms, before they admitted any one to their so-called baptisms or the Lord's supper. It was therefore impossible to amalgamate the two systems either in doctrine or in discipline, in theory or in practice, or to think of a catholic communion; for this Indulgence, in a most criminal and antichristian manner, created a perpetual and inextinguishable fund of schism and division. The ACCOMMODATION proceeded from the same party and with the same view. Bishop Leighton was a pious, benevolent, and credulous ascetic, and was easily drawn into the schemes of Tweeddale, without suspecting the ulterior views of that covenanted nobleman; but even he discovered that those who were still under the delusion of the covenant were not to be gained either by conciliation or concession. Nothing short of the absolute unconditional surrender of all the rights, privileges, and even the very being of God's holy church, would satisfy them. And the worthy bishop, with sorrow, was obliged to say to the presbyterian ministers, "Now that they had thought fit to *reject* these concessions, *without* either offering any reason for doing so or any *expedient* on their side; THEREFORE the *continuance* of our divisions *must lie at their door, both before GOD and MEN.*"

CHAPTER XXXIII.

THE PRIMACY OF ARCHBISHOP SHARP.

1671.—Immigration of Jesuits.—Deaths and consecrations.—Notices of bishops Laurie and Young—and Dr. Burnet.—1672.—A riot.—Meeting of parliament—acts.—Cameron ordained.—Mr. Carstairs.—Another attempt to conciliate the presbyterians.—Meeting of ministers—more indulged, and the conditions—and voted to be no favour.—The doctrine of RESERVE.—Ministers' scruples.—1673.—Mr. Young's case.—King's letter—king's birth-day.—Ministers cited before the council.—Blair committed.—Leighton's difficulties—his letter to his synod.—Burnet quarrels with Lauderdale.—Session of parliament—opposition.—Rev. Archibald Beith's case.—Riots, and assault on the clergy.—Dr. Burnet.—Motives of persecution.—Carstairs.—A conspiracy.—Leighton intends to resign—the king continues him—his reasons for resignation, note.—Letters to bishop Hamilton.—Case of Mr. Forrester.—1674.—The opposition lords ordered to court—their proposals.—An act of grace—its effects.—Conventicles recommence.—James Mitchell arrested—examined—minute of council—his trial postponed.—Welsh's conventicles.—Magdalene Chapel—all conditions rejected.—Representation of the archbishop and synod of St. Andrews to the privy council.—King's letter—its object.—Conventicle in Fife.—Riotous meeting of women.—Council's letter to the king.—Conventicles at Glasgow—Torwood, &c.—Ministers outlawed.—Forrester arrested—deposed—his complaint.—Petition of the synod of Glasgow.—Conditions for indulgences.—Reflections.

1671.—As IT WAS now evident that the presbyterians were not to be conciliated, the council made an act on the 26th of January, ordering all those indulged ministers to confine themselves to their respective parishes, who would not attend the episcopal synods and presbyteries; and the non-indulged were ordered to attend the parish churches, or else to remove their families to other places. The lord advocate made it publicly known that he was determined to execute the severe act against conventicles with the utmost rigour, in order to deter men from convocating at these illegal meetings, and so of incurring the sanguinary pains of it. What with the alleged connivance of Lauderdale, and the religious disputes and irregularities of the presbyterians themselves, the papists began to meet openly in their mass-houses, and multitudes of priests and jesuits

entered the kingdom in hopes of the revival of their communion; and a vessel was seized in the Forth containing bales of Tuberville's Catechism, relics, beads, pictures, scapularies, and similar trumpery. Four popish priests were also arrested in the county of Moray, and sent out of the country. Even Wodrow admits that the episcopal clergy preached zealously against the errors and superstition of popery, and particularly the learned Mr. John Menzies, of Aberdeen, who published a treatise against them. But he is very angry with the primate, who, he says, "it was generally reported," had said in the council, "that his majesty's government was by far in greater hazard from presbyterians than from the papists; and that it was his opinion, the council ought more narrowly to look to presbyterian meetings, in which they were very slack, although the great danger lay there¹."

DR. DAVID STRACHAN, bishop of Brechin, and Dr. George Wishart, bishop of Edinburgh, died this year, and were succeeded by Dr. Robert Laurie and Dr. Alexander Young. On the 29th of August, the earl of Lauderdale wrote to the primate respecting the filling up of these sees, recommending that no presbyter should be raised at once to the see of Edinburgh, but that some of the other well-experienced bishops should be translated, and a priest chosen and consecrated for the see from which the other had been removed; and requested the archbishop to name some one whom he considered fit for the bishoprick of Edinburgh. Notwithstanding Lauderdale's judicious advice, Dr. Alexander Young, archdeacon of St. Andrews, was elected, and the *congrégation d'elire* to the dean and chapter, and a royal letter to the bishop elect, are still preserved among the episcopal papers at Aberdeen². Bishop Wishart was interred in the abbey church of Holmrood House, under a magnificent tomb, with a Latin inscription recorded by Keith, who says, "he was a person of great religion; and having been a prisoner himself, it is reported of him that he was always careful at each dinner to send off the first mess to the prisoners³."

MR. ROBERT LAURIE was the son of Joseph Laurie, formerly one of the ministers of Stirling; and Baillie mentions his grandfather, "Blasius Laurentius—born with us [at Glasgow], and long a regent in our house, one of the bravest philosophers and humanists in his time." He was one of the

¹ Wodrow's History, ii. 187-8.

² MS. Papers in the Episcopal Chest at Aberdeen, No. A 8.

³ Keith's Catalogue, p. 62, 63—168.

ministers of Edinburgh before the Glasgow Assembly, and consequently was episcopally ordained. He, Mr. Fairfoul, and others, made a strenuous exertion in the commission of the kirk in the year 1648, to induce that body to agree to the restoration of Charles I. to the exercise of his full regal power in all his dominions, "without any condition either of covenant, religion, or propositions;" for which the whole party incurred the wrath of that loyal body, and had not other matters of importance intervened, the commission "would have called them to an account for their malapertness." In the Assembly of 1649, Mr. Laurie drew up a petition, which was signed by a good many of the ministers, "for moderating, in some things, *the power* of the commission of the church, which was expounded by this assembly truly to have been an overthrowing in favour of the malignant party, the power of the kirk." It created a considerable sensation among the godly ministers; and Mr. Laurie was only saved from the effects of their wrath by the dexterity of Mr. Robert Douglass, "albeit a terrible act was made against the thing." He was appointed by the same assembly, however, one of a committee to examine and revise the new metre version of the Psalms, and to report to the commission of the kirk; and on the 1st of January, 1650, he and his brethren received their thanks for the great pains they had been at, in the translation of the Psalms and other scriptural songs in metre. In February he was desired to present his labours and great pains in putting the scriptural songs in metre, to the commission, for their consideration¹. I can find no other account of archdeacon Young than the meagre one afforded by Keith, who says he was "of the family of Altbar, and born at Aberdeen²." These were consecrated to the sees of Edinburgh and Brechin probably by archbishop Sharp, although Keith does not mention either the consecrator, or the time or place where the consecration took place.

There is written evidence extant that Lauderdale requested the archbishop of St. Andrews to recommend some suitable person to fill the see of Edinburgh; but Gilbert Burnet, with great complacency, says, "I was then, and for three years after that, offered to be made a bishop, but I refused it. I saw the counsels were *altering* above; so I resolved to *look on*, and see *whether things would turn*³." He was then at the

¹ Baillie's Letters and Appendix, iii. 45—95—403—546—554, 555.

² Catalogue, 64.—App. to Spottiswood's History, p. 4. 1677.

³ Own Times, i. 543.

uncanonical age of twenty-eight: but although he seems proud of the offer of a bishoprick, and tells us "that whatever he asked for his friends was granted," yet his reason for refusing the mitre should not be altogether passed over in silence. He calculated that there was a probability from the Whig administration that the king might fall back upon the Assertory Act, and establish presbytery, which, as things stood, he might easily have done. As Burnet was then so high in court favour, he might calculate on preferment at any time, and therefore, like a judicious politician, he waited his time, and kept himself in reserve for securing the loaves and fishes, whether presbytery or episcopacy should turn up trump. Had presbytery been established, he could plead not only his own merits, but those also of his "unfortunate uncle," Johnston, who suffered for *the cause*; and in the event of the church surviving her then persecution, he might be able to convince her governors that all his slanderous aspersions and attempts to annihilate her, were designed for her benefit. About this time he had prepared his Memoirs of the dukes of Hamilton, which coming to the ears of lord Lauderdale, he condescended to flatter him by the offers of two bishopricks, and by constituting him his favourite and confidant; but Burnet has himself told us that "his true design was to engage me to *put in* a great deal relating to himself in that work;" and I doubt not, *to leave a great deal out* of it also which was not now convenient to be known. At this time, therefore, Burnet could flatter Lauderdale, and say in his preface, "the noble character which you do now so worthily bear, together with the more lasting and inward characters of your princely mind, did set me beyond doubting to whom this address was to be made. . . . But it is not your illustrious quality that entitles you to this dedication. No, great prince! greater in your mind than by your fortune; there is somewhat more inward to you than the gifts of fortune, which, as it proves her not blind in this instance, so commands all the respect can be paid your grace¹."

1672.—THE COUNCIL received information, in February, that many illegal conventicles were held in the city and neighbourhood of Glasgow; they sent, therefore, a peremptory order to the magistrates to suppress them, and to all the ousted ministers either to attend the parish churches or else to remove out of that city. Wodrow industriously enumerates a number of gentlemen, their wives and sons, who were fined for

¹ Preface to Vindication, &c. of the Church and State of Scotland.—Own Times, i. 525.—Salmon's Examination of Own Times, i. 640-41.

attending and countenancing the field conventicles. There is only one riot mentioned this year, which was perpetrated on Mr. Andrew Ramsay, the episcopal incumbent of Affleck or Auchinleck, in the county of Ayr, and diocese of Glasgow, whose house was broken open in the night-time, and plundered. On the 29d of January the council sent a commission to the commanding officer of the militia at Ayr, "to try into it, and to hold courts, and to call in the inhabitants of that and the neighbouring parishes, to depone what they know about it, and to fine the absent heritors in two hundred pounds, tenants forty pounds, cottiers in ten pounds, and each woman according to the quality of her husband, dead or alive." The money is in Scots' valuation, and each pound was only about twenty pence sterling; so that the fines were more formidable in appearance than in reality. These burglaries could not be committed without the knowledge of some of the parishioners, some of whom frequently received the stolen furniture; yet they were so far participators in those outrages, that they concealed the perpetrators, and would give no information so as to bring them to justice¹.

AT THIS TIME the earl of Lauderdale was at the height of his power; and on the 2d of May he was created a duke, received the order of the garter, and he was sent down as the royal commissioner to hold the third session of parliament. Parliament met on the 12th of June, and its history differs little from that of the former. The acts consisted chiefly of suppressments to former acts, for the suppression of the growing evil of field conventicles, which, notwithstanding the severity of the law, were persisted in². To prevent the perpetuation of this schism by the admission of more ministers, it was enacted that the ordainers were to be deposed, and those admitted by such as were deposed were to be liable to the penalty of banishment, and to perpetual imprisonment if they returned. This prohibition applied chiefly to the itinerant field preachers, who were a real nuisance to all the peaceably-disposed. Another act was passed³, which declared, "that upon the 13th August, 1670, an act had been made against conventicles; and that upon the 20th of the said month, in the year aforesaid, another act passed against separation, and withdrawing from the public meetings for divine worship;" but these acts being only temporary provisions for those years unless his majesty should think fit to prolong the term, "it is statute and or-

¹ Wodrow's History, i. 197.

² Ibid.—Memoirs of Scotland, p. 220.

³ Second parliament of Charles I. sess. 3. act 9.

dained that they are now continued three years forward, and as much longer as his majesty shall please to appoint." It was likewise further enacted, that no outed minister, *not licensed by his majesty's council*, nor other person not authorised nor tolerated by the bishop of the diocese, presume to preach, expound Scripture, or pray in any meeting, excepting in their own houses, and to those of their own family;" but the next clause relaxes the severity of this erastian statute, so far as to permit four persons to be present besides those of the family.

ABOUT this time the famous RICHARD CAMERON was ordained by Welsh and Semple, "two fiery ministers," in the house of Mr. Henry Hall, of Haughhead in Teviotdale, when Welsh, still continuing his hand on Cameron's head, said, in a prophetic strain, "*Go your way, Ritchie, and set the fire of hell to their tails* ¹." With such sentiments, avowed and inculcated, it is nothing wonderful that the government wished to prevent the continuation of such fiery zealots, from whom "the fire of hell" was much more likely to spread among the people than that the continual dew of God's blessing would be poured down upon their deluded followers. The banished ministers in Holland constituted themselves a presbytery, to whom the presbyterian students were sent over for ordination, and to whom they communicated their views of keeping up the agitation in the disaffected districts; and we are informed, by the latest authority, that they "returned to Scotland thoroughly imbued with the knowledge, and confirmed in the love, of the great and essential doctrines of the presbyterian church. In this manner the vital principles of presbytery were not only kept alive; they were strengthened into more intense activity and uncompromising endurance ²."

THESE MINISTERS in Holland sent one of their number, Mr. JOHN CARSTAIRS, with instructions written in white ink, and letters to many of the disaffected ministers: the object of his journey was to ascertain the dispositions of the people, and if there was any probability of their making another diversion in favour of the Dutch, with whom Charles was then at war. His instructions were written in such mysterious and ambiguous terms, that their real import was not clearly ascertained; but it appeared that he was empowered to explain *verbally* many things that were referred to in his instructions, and to promise arms and ammunition in the event of a rising. Mr. Scott, of Tushielaw, and many others, fell into trouble for cor-

¹ Scots Worthies.—Life of Richard Cameron, 332.

² Hetherington, 143.

responding with the incendiaries in Holland, and Carstairs was held to bail to appear when called on, but he prudently returned to the continent.

ANOTHER ABORTIVE attempt was made to reduce the turbulence of the presbyterian ministers; and Burnet tells us, that Lauderdale asked his opinion concerning them, which, he says, he gave frankly—that the presbyterian ministers be “coupled up” in the vacant parishes. Leighton approved of this coupling, and compared it to “gathering into the chimney, where they might burn, safely, the coals that were scattered over the house, and setting it all on fire;” but it produced no good, for dissent was now exasperated into faction. Burnet’s opinion was, “there were *many vacancies* in the disaffected counties to which *no conformable men*, of any worth, could be prevailed on to go.” The fact is, the presbyterians made these vacancies by their riotous assaults on the clergy, and breaking into and plundering their houses, and then kept the churches vacant by a system of terrorism that prevented other clergymen from accepting benefices where neither their lives nor property were safe. “So,” he continues, “I proposed that the ministers should be put into these parishes by couples, and have the benefice divided between them; and in the churches where the Indulgence had already taken place, that a second minister should be added, and have the half of the benefice: by this means I reckoned that all the outed ministers would be again employed, and kept from going round the uninfected parts of the kingdom. . . . I also proposed, that they should be confined to their parishes, not to stir out of them without leave from the bishop of the diocese or a privy councillor; and that upon transgressing the rules that should be set them, a proportion of their benefice should be forfeited, and applied to some pious use.” This is, perhaps, the clearest indication that could be given of the turbulence of these men, that such an arbitrary and unjust proposal should proceed from one who was himself presbyterian in principles and affections. The project pleased Lauderdale, and he ordered Burnet to state his advice in writing, and his grace then turned it into the style of instructions¹.

NOTWITHSTANDING what bishop Burnet says, the duke of Lauderdale came down empowered to grant this second indulgence, and he only adopted Burnet’s suggestion of coupling up the ministers. Reports of his intentions got into circulation, and about twenty of the parties interested met in Edinburgh

¹ Own Times, i. 548.—Pearson’s Life of Leighton, i. ci.

on the 8th of August, and agreed to address a letter to sir James Dalrymple, of Stair, a privy councillor, in whom they had full confidence. The ministers were divided in opinion respecting their freedom to accept or reject the proposals of government; and Wodrow says, "it must be owned there was *too much warmth* both at their meetings and reasonings about it, and afterwards." As yet, however, the terms to be offered by government were not known, and they could only reason hypothetically, which was just so much waste of time, temper, and words; but it was violently urged that a testimony should be made "against the sinful encroachments of the state, and urged such expressions to be inserted in the letter as made it *treason* against the present laws; and when the paper was thus inflamed, they went off. Thus, after some meetings, the letter grew so high, that none could be found to present it, and so it was laid aside¹." Guthrie, a presbyterian, acknowledges that "their behaviour on this occasion was indefensible. The letter they drew up to Dalrymple *was treasonable* in the last degree, and none could be found mad enough to present it²." But as the letter was of such a nature as precluded the possibility of its being presented, they agreed to depute two of their number to wait upon Dalrymple, and to represent the difficulties of their case, when he received them with great kindness, and promised to use his utmost efforts, both in council and parliament, to serve them.

ON THE 3d of September, the council met, and agreed to three acts relative to this second indulgence; for which Wodrow evinces the gratitude of his party, by saying, "there was abundance of cunning in framing the acts, both for answering this end, and so as ministers might be brought to comply with some of the acts without approving others which contained clauses more gravaminous; yea, there seems in the frame of these acts to be room left by the framers *for blowing at the fire of division* among presbyterians, by which the designs of their enemies were mightily carried on³." So insupportable had been the persecution which the covenanters carried on against the established episcopal clergy, that at this time fifty-eight parishes in the dioceses of Glasgow and Galloway were found to be vacant, and into which, with those where indulged ministers had already been inducted, were coupled up about eighty of the deserters, who, according to the act, were "to repair to the parishes—and to remain therein

¹ Wodrow's History, ii. 203.

² General History, x. 154.

³ History, ii. 203.

confined, permitting and allowing them to preach and exercise the other parts of their ministerial functions to which they are or shall be confined by this present act." The second act described the restrictions to which they were to be subjected; which were—1. They must neither marry nor baptize any except those belonging to their respective parishes, unless a neighbouring one be vacant. 2. They must all administer the Lord's Supper on the same day, and admit none from other parishes to partake with them without a certificate from the ministers thereof. 3. They must preach only in the church, under pain of being punished as keepers of conventicles, if they preached even in the churchyard. 4. They must not go out of their parishes without a license from the bishop of the diocese. 5. All cases of discipline must be referred to presbyteries; and where there is no presbyterial meeting, that these cases be referred to the presbytery of the next bounds. 6. That the ordinary dues payable to bursars, clerks of presbyteries and synods, be paid by the said ministers as formerly.

THESE HARD and arbitrary terms were not inflicted by the church, but by the state, at the suggestion of Burnet, who recommended the duke to couple them up, and rigidly confine them within the boundaries of their parishes, which sufficiently indicates the tyrannical disposition of those who make the greatest pretensions to liberality.

AS SOON as these acts were published, about thirty of the ministers met in Edinburgh; and the question was put by the moderator—"whether it was the duty of ministers to go and exercise their ministry at the churches" to which they had been appointed? Four were of opinion that ministers ought to go to their churches after they had once given a *testimony* to the state against what they conceived was wrong in their indulgence; two were undetermined, and twenty-six voted for the negative, so that the indulgence was voted against as *no favour*, and everywhere it was disliked by those whom it was intended to serve. In the west a strong remonstrance was drawn up against it, as clogged with many involvements contrary to their principles and consciences—as homologating and subjecting themselves to erastianism—as obliging them to condemn field conventicles—as depriving the people of the liberty of a free election—as confining not only their persons but their ministry, and depriving them of the benefit of mutual conversation in presbyteries and private communion with one another—as an interpretative subjection to erastianism, and as thrusting them under a direct and formal subjection to prelacy—and, lastly, because "the peremptory order given to

sheriffs and magistrates to inquire how the ministers confined and allowed to preach do observe these rules, shows that the ministers who fail in the due and peremptory obedience will be undoubtedly censured according to their supposed demerits, and we, being straitened in our conscience to give obedience to these canons, judge it will be but a farther provoking to the magistrate, prejudicial to the people, and hurtful to ourselves, to step in, and within a short time to be thrust out again, for our contravention¹."

THEY MET again on the 23d of December, but could not agree among themselves about their testimony, but many were of opinion that the indulgence should be rejected, as the only method to preserve unity among presbyterians; but those who accepted agreed to deliver their testimonies against the magistrate's encroachments from their pulpits at their first entry into their respective parishes. The intrigues of the ministers in Holland had considerable influence in raising up a charge of unfaithfulness against the ministers that accepted the indulgence; but they comforted themselves with the doctrine of *Reserve*, and "were persuaded," says Wodrow, that "*every point of truth ought not to be brought to the pulpit at all times. They considered there are sayings even disciples cannot bear; and though they themselves could not come up to their brethren's length in point of practice, they saw no reason from this, publicly to stage and condemn them.*" In summing up this erastian affair, Wodrow says, "and upon the whole I must with regret observe, that presbyterians who before this had been very much of a piece, *did now divide; and the scar of this wound is continuing among us*²." One strong family likeness betwixt popery and presbytery is the determination of both to be contented with nothing less than universal *supremacy*, in both civil and ecclesiastical affairs. In short, says another presbyterian author, "it appears from the account given by Mr. Wodrow himself, that there was *no satisfying their party*; and that the greater indulgence they met with, *the greater was their opposition to civil authority.*" This gives some colour for the apologists, for the prelates, and the ministers, who lay the blame of all the sufferings of the presbyterians upon their *own fanatic behaviour and principles*³."

INDEED, the presbyterian ministers scrupled at every thing that emanated from authority; and they brought the erastianism of the present proceedings on themselves by their own obsti-

¹ Wodrow's History, ii. 206, 209.

² History, ii. 210.

³ Guthrie's General History, x. 155.

nacy in rejecting the easy terms offered by lord Middleton's government. And, truly, says one of their own indulged ministers, "the entrance of some of the indulged brethren made some wonder; for some, when they entered, would not have the bell rung to be a testimony against the evils in the indulgence; and some, when they had preached the year, and received the stipend, denied they had taken the indulgence, affirming they had only intruded into the church, and *the contentions of the brethren* were like the bars of a castle." "But after this, great was the discontent, both of the indulged ministers and likewise of the zealous people, *reflecting sore upon the ministers' behaviour* in that time of their trial, but *they all* got home to their churches, except Mr. Alexander Blair, who died in prison. Many of them presumed upon their people's affections, which indeed had formerly been very fervent, *but now* they found the *scene altered*, and were, to their great grief, *treated with no less reproach than the nickname of council-curates*¹." So here the poisoned chalice was worthily commended to their own lips; and the very men whom they had deluded with their anti-social sophistry, and had taught to despise and rebel against all lawful authority, now turned round on their teachers, and compelled them, in their turn, to comprehend the value of their antichristian instructions, and to feel "how sharper than a serpent's tooth it is to have a thankless child."

1673.—THE CHIEF events of this year are the proceedings arising out of the indulgence, and the rise and growth of an opposition to Lauderdale's administration, whose arbitrary proceedings had become intolerable to all parties, whether they were persecuted presbyterians, as Wodrow labours to shew they were, or the really oppressed churchmen, with whom no one has ever sympathised. Many of the ministers that had been indulged did not comply, and others raised minute and trifling scruples against accepting and taking possession of their benefices; and some were of opinion that it would have been happy for themselves if none of them had accepted, "but had strenuously adhered to their presbyterian covenanted principles." In consequence of this perverseness the council issued an order on the 7th of March, for all the outed presbyterian ministers to remove to at least five miles from the city of Edinburgh; and those who had not taken possession of their livings were summoned to appear before the council. Several of them appeared, and were ordered to repair to their respec-

¹ Kirkton's History, pp. 324-336, 338, 339.

tive places of *confinement*, as Wodrow truly enough calls their parishes, against the first of June, and orders were given to arrest those who should disobey. One of those who appeared at the bar, Mr. Robert Young, made a rude and insolent attack upon the archbishop of St. Andrews, who was present, alleging that he had been unjustly deprived, and that sentence was given by the primate without the concurrence of the synod, and appealed, like a true erastian, to the council, to be restored. The archbishop rose up, and solemnly asserted that Young's allegation was founded on misinformation; for he had been regularly and lawfully deposed by the synod for wilful disobedience, and whose sentence he had only ratified and confirmed, and carried into execution. The council believed the plain statement of facts made by the primate, instead of Young's intemperate allegations, and the chancellor intimated to him the council's pleasure that he should repair to the benefice to which he had been indulged before the first of June. This circumstance, of a man who had been justly deposed for sufficient causes, being not only without repentance, but glorying in his fault, preferred to a benefice, is produced by Wodrow as an example of persecution and of the tyranny of the privy council. The greater number of their cases of persecution are of a similar nature, and a howl of persecution is got up and prolonged whenever by their own misconduct they have been justly visited by the pains of either civil or ecclesiastical law; in short, nothing would satisfy the presbyterians short of being allowed to trample on all law, human and divine, that either obstructed the exercise of their own tyranny over others, or stood in the way of their supremacy.

ON THE 7TH MAY the council received a letter from the king, signifying to them that the United Provinces, with whom he was then at war, had formed a design to excite an insurrection in the presbyterian districts, and therefore required them rigorously to suppress all field conventicles. This necessary and prudential order came direct from the king; yet the council is accused of "persecuting their protestant brethren," than whom, they said, "the king had not more loyal subjects," and "at the instigation of *a parcel of impious prelates*." And again, it is most maliciously and falsely asserted, that, "to gratify the bishops, a most rigorous proclamation was emitted against conventicles;" whereas all of the bishops were living in and applying themselves to the business and duties of their respective dioceses, endeavouring with all diligence to keep the covenanted wolf from their flocks. None of the indulged ministers kept the anniversary festival of the king's

birth-day and restoration, although its commemoration was ordained both by acts of parliament and of council under severe penalties. With sectarian and unreasonable obstinacy they perversely refused to preach and otherwise celebrate a holiday, as a monstrous infliction of tyranny on their consciences, because it was commanded by the state ; but they kept holidays of their own individual appointment without any strain on that tender organ. Several of them, therefore, incurred the civil pains for their disobedience, inflicted by the state for a political offence ; but by that craft which was earthly, devilish, sensual, their authors have found an opportunity of bringing a malicious and false accusation against the church :—“ When the 29th of May came, the bishops got another handle for oppressing the presbyterian ministers !”

ON MAY THE 31ST his majesty again approved of what the council had done respecting the Indulgence, and required them to prosecute those who refused to comply with the act. A number of them were therefore cited to the bar of the council on the 3d of July ; and here Wodrow records a direct and wilful *falsehood*, that “ the bishops did most violently appear against them in council¹,” not one of whom were present. The ministers acknowledged that they had not observed the festival, although it had fallen this year on one of those weekly fasts which, without any synodical authority, they held of their own appointment ; and moreover, they informed the chancellor “ that they had no freedom in their consciences to keep any anniversary holiday of *human* institution.” While this examination was proceeding, Alexander Blair pretended ignorance, not having, he said, received a copy of the act of council which required obedience in this point. The printed act was delivered to him by the chancellor ; he took it out of his grace’s hand, but immediately and significantly dropt it on the ground, and said, “ My lord chancellor, I cannot be so uncivil as to refuse a paper offered me by your lordship, but I can receive no instructions from you for regulating the exercise of my ministry ; for if I should receive instructions from you, I should be your ambassador, and not Christ’s.” Rothes afterwards said that it was the *manner* more than the matter of this speech that was offensive to the council, and he was committed for contempt, but soon after released on account of his health, when he died very soon after ; and this is made a case against the bishops of persecution. Hutchinison was deputed by the brethren to say the very same words to the council, but

¹ History, ii. 215.

Blair having anticipated him, and seeing his fate, he was prudently silent, and consequently all the rest were dismissed¹. The indulged ministers were not only the cause of much trouble to their head, the council, but they gave great uneasiness to bishop Leighton, who had done so much for them. His biographer accordingly says, on the authority of Law in his Memorials, one of the indulged ministers, that they "occasioned him much uneasiness by their *disorderly and seditious* proceedings, and indeed by *actual immoralities*, which went to such a length that he was obliged, in December 1673, to send a deputation with a formal complaint against them to the privy council." If this worthy prelate had not been actually a bishop, Wodrow would certainly have recorded his sufferings among those of the godly brethren; for Mr. Pearson says, "While he had made no way with the conformists by his earnest, his affectionate, and it might almost be said his humiliating advances, we have seen that his colleagues were ready to brand him with treachery to their cause, and more than insinuated that he plotted the overthrow of the constitution²."

IN ALL THOSE parts of the kingdom which had escaped the infliction of indulged or covenanted ministers, the church enjoyed profound tranquillity under the prudent management of the bishops, who were all compelled by law to reside constantly in their dioceses. Leighton did not preside at the synod of Glasgow this year, which was held in April, but sent a written charge. They were now much diminished in numbers from the increase of the indulged ministers, but who would not so far homologate episcopacy as to attend the bishops' synod. He alludes to the railing and uncharitable censures which the presbyterians heaped upon the clergy, and bids them possess their souls in patience, of which they had much need. And adds, "As for the confusions and contentions that still abound and increase in this church, and threaten to undo it, I think our wisdom shall be to cease from man, and look more upwards, and dispute and discourse less, and fast and pray more; and so draw down our relief from the God of order and peace, who made the heavens and the earth³."

THE DUKE OF LAUDERDALE was again sent down as the royal commissioner, to hold the fourth session of the present parliament; and Burnet, who soon after this broke with his grace, now accuses him of pride, extravagance, luxury, extortion,

¹ Wodrow's History, ii. 212—223.

² Life of Bishop Leighton, i. cii.

³ Pearson's Life of Bishop Leighton, i. cvii.

tyranny, and the most insolent and cruel administration that any nation ever experienced. This account may be compared with his dedication to this "great prince—greater in his mind than in his fortune,"—which was published the same year, but before he quarrelled with his grace. Wodrow has inserted a long and abject letter from Burnet to the duke, requesting to be informed of his crime, and complaining that his grace had called him "traitor and rogue," of having been "laughed at as a fool for my advertisements and advices" both to statesmen and bishops, and of having been "kept waiting above three quarters of an hour in my boots, and no access given, though twice desired¹."

AT THE OPENING of the session of parliament a letter from the king was read, in which, among other things, his majesty says, "that one of the principal reasons of keeping this session of parliament is, that effectual courses may be laid down for punishing and curbing the insolent field conventicles and other seditious practices:" the letter also alluded to what had been done by government for the peace and conciliation of the presbyterians by means of the Indulgences, which greatly aggravated their faults in persisting in keeping conventicles contrary to law, and recommended the due administration of the laws respecting them:—"We must now, therefore, once for all, lay down such solid and effectual courses, as the whole kingdom may see that both you and we are in earnest, and that if fairness will not do, force must compel the refractory to be peaceable, and obey the law." The commissioner then addressed the house, enforcing the topics illustrative of the royal letter, and proposed a new supply for carrying on the war with Holland, and desired the subject might be referred to the lords of the articles. When Lauderdale moved for the formation of a committee to draw up an answer to his majesty's gracious letter, the duke of Hamilton suddenly commenced that opposition which had been secretly formed against the duke, by a counter-motion that the state of the nation might be first taken into the consideration of the house, and the grievances of the country truly represented to his majesty, after which he would readily vote for a supply. According to a previous understanding, about twenty members spoke successively to the same purpose, each dwelling on some real or imaginary grievance. This opposition was so sudden and unexpected that Lauderdale lost his temper, and insisted, "with some briskness," on the supply being voted, and attempted to intimidate the

¹ Wodrow's History, ii. 232, 233, note.

parliament; but the opposition was too powerful to be dissolved by big words. Sir Patrick Hume, of Polwart, resented his conduct as unconstitutional, and asked "whether or not this was a free parliament?" Finding that he could not bully the house, he adjourned it for a fortnight, and attempted to soften the opposition by promising to remove some of the principal grievances of which they complained. This was not considered sufficient, and the duke of Hamilton pressed his motion to lay a true state of the nation before his majesty; and success emboldening the opposition to present fresh grievances. Lauderdale adjourned the house on the 9th December to the 25th January, after having sat only five times. Of course there was nothing done in ecclesiastical affairs¹.

WODROW mentions the case of Mr. Archibald Beith, "curate in Arran," for what he calls "his *accession* to the slaughter of Allan Gardiner;" but he afterwards says he shot him, and was tried and sentenced to be hanged, but was freely pardoned and set at liberty. After that he came to Rothsay, on his way to Arran, and was in such extreme poverty that he petitioned the town council for pecuniary help, and for permission to beg in the town: the latter they refused, but granted him 20 pounds Scots². In the council registry of Rothsay he is designated "*late* minister of Kilbride;" it is therefore fair to conclude that Dr. Wallace, bishop of the Isles, had deprived him for this horrible crime, which cannot be commented on with too great severity. It indicated that the leaven of malice and wickedness which remained from the recent ecclesiastical anarchy, and one at least who was a disgrace to his cloth and to humanity, had not been "outed" by the Glasgow act. But there must have been some mitigating circumstances in his case, before a *free and unconditional* pardon had been granted to him.

THE RIOTERS and others in the parish of Balmaclellan, who had assaulted and robbed Mr. John Row, the clergyman, continued such a persecution and system of petty annoyances, that it was found necessary to remove him to the parish of Stonykirk, in Rhinnes of Galloway. On his taking possession of his church, he found the locks of the doors had been maliciously and entirely spoiled, and a riotous concourse of the people prevented his gaining access to his manse and glebe. And this corroborates what Kirkton asserted of the

¹ Wodrow's History, ii. 328.—Crookshank's History, i. 349.—Memoirs of the History of Scotland, 250—262.—Barnet's Own Times, i.

² Wodrow's History, ii. 231, and note by Burns.

"coarse and cold entertainment" which the clergy met with at their induction to their parish churches. One Baxter was prosecuted to conviction for his accession to the breaking open and plundering the parsonage of Mr. David Cunningham, the parish clergyman of Cambuslang, in the diocese of Glasgow. And to evince their favour to the presbyterians, the council ordered the earl of Galloway to present Mr. Robert Kincaid, who was minister of Barnwell near Ayr, to the parish of Kirkmaler, near Dumfries, in order to make room for one of the indulged covenanted ministers, who coveted a living that was so good that the bishop of the Isles was glad to accept the stipend of it for one year, to eke out the dilapidated revenues of his see. In fact, the indulged ministers got *all the best livings* in the two dioceses, which might be some consolation for their imprisonment, as it may be called, to the boundaries of their respective parishes, a hardship which they brought on themselves by their own turbulence. But a presbyterian author says, "the bulk of the presbyterians were instructed from Holland to look upon all the indulgences that had been offered them as no better than preparations for the toleration of popery; and I am inclined to think that some *very unaccountable connexions* were now formed between the Scotch and the Dutch presbyterians¹."

BEFORE Burnet had actually quarrelled with the duke of Lauderdale, and when he was praising him as a "prince greater in his mind than in his fortune," he tells us that he knew the duke was engaged in a design to subvert the laws and constitution of the kingdom, and that he openly invited the duke of Hamilton and the nobility to enter into measures to make the king absolute; and confesses that Lauderdale made him an instrument to persuade Hamilton not to oppose the court; so that if we may credit him no man was more instrumental than Burnet himself in promoting arbitrary designs². And he proceeds, "I got some to be considered and advanced that had no other way of access. But that which made it more necessary was, that I saw Sharp and his creatures were making their court with the most abject flattery, and all the submissions possible. Leighton went seldom to them, though he was always treated by them with great distinction. So it was necessary for me to be about them [the duke and duchess of Lauderdale] and keep them right; otherwise all our designs were lost without recovery. . . . Yet I was sent for, and con-

¹ Guthrie's General History, x. p. 158.

² Own Times, i. 618.

tinued in such high favour that I was again tried if I would accept of a bishoprick, and was promised the first of the two archbishopricks that should fall! But I was still fixed in my former resolution [to see whether presbytery or episcopacy would kick the beam] not to engage early, being then but nine-and-twenty; nor could I come into a dependence on them¹."

To MAKE a mere political partizan an archbishop, at nine-and-twenty, did look somewhat like a design on the constitution, and a smiting of the church under the fifth rib, which is scarcely credible, although Burnet does so positively and repeatedly assert it. But how contemptuously does he speak of the archbishop of St. Andrews, and the other bishops and clergy, when they were probably representing to the duke the deplorable circumstances of the clergy in those dioceses which were afflicted with the incumbrances of the indulged ministers, and begging the protection of government against the persecutions of the presbyterians. Burnet was apprehensive that if he left the court, the primate might have had sufficient influence to have broken up the confederacy for presbyterianizing the church, which he and his friend Leighton had entered into with Tweeddale. It was not without just grounds that the archbishop complained of the Indulgence, and applied to the commissioner for redress, when Burnet himself informs us that Lauderdale broke out into a great rage when he was informed that the indulged presbyterians still assembled, fully armed, at their field conventicles, broke into the parsonages, and robbed and wounded the clergy, and, as he acknowledges, made them swear to abandon their churches, and banish themselves from the kingdom. When these robbers and persecutors were brought to justice, Burnet justifies and excuses their crimes, because, he says, they assaulted and plundered the clergy *upon principle*, and out of the "blind madness of ill-grounded zeal." And he tells us, that one of the criminals, who was condemned to be hanged, and whom he visited in prison, was "*otherwise no ill man*," if we would only make allowance for his principles and zeal: but how a robber and house-breaker can be accounted an innocent man, is not easy, upon christian principles, to account for. But he explains it by telling us—"another of them was a bold villain. He justified all he had done, from the Israelites *robbing the Egyptians, and destroying the Canaanites*." And thus he has innocently let out what was the full extent of presbyterian

¹ Own Times, i. 621.

principles. They looked upon themselves to be, like the Jews of old, the chosen people of the Most High, and as bearing His commission to plunder and extirpate the bishops and clergy, as Egyptians and Canaanites, and as enemies to God and his elect. We now have seen the principles of the Covenant and its votaries, which are destructive of human society and morality, reduced to practice; and these godly people believed nothing could be more acceptable to Him, who has denounced malice in the heart as murder, than human sacrifices; but especially of his priests who wait at His altar¹.

BUT HE acknowledges that Lauderdale had just grounds of offence in the intrigues of CARSTAIRS, who had been sent over by the presbyterians in Holland to excite another rebellion amongst their brethren at home. The clergy, therefore, were justified in saying, when Burnet and bishop Leighton appeared as apologists for those conspirators, "that things were carried beyond what a principle of moderation could suggest, and they could design nothing less than the ruin and subversion of the constitution." The duke of Lauderdale must have been insensible to every sentiment of patriotism, and of respect for the king's service, if he had not felt and shown deep resentment at the perverse behaviour of the presbyterians, after the government had so long connived at their inhuman outrages on the episcopal clergy, and which, being avowedly done upon principle, were likely to be continued. Although the letters and instructions taken on Carstairs were mysterious, yet they were sufficiently explicit as to the promise of large supplies of arms and munitions of war to the field conventiclers, whenever they were ripe for open rebellion. Perhaps the mystery spoken of meant that no conspirator was named, or any clue given by which the leaders and secret movers of this conspiracy could be discovered; and whatever accusation of persecution may be made, Lauderdale must be justified in letting the law take its course, or else see the three kingdoms again deluged in blood under the obligations of the Covenant. He had tried moderation, connivance, and indulgence, and found them so far from conciliating the presbyterians, and inducing them to live in quietness and peace, that they only increased their fury against the clergy, and their insults on the government; and unless he had suffered the constitution to be subverted and revolutionised, he was laid under a necessity of using those severities for which he has been so greatly blamed².

Own Times, i. 621. ² Ibid, 622.—Salmon's Impartial Examination, i. 680-85.

BISHOP LEIGHTON's self-love was so much wounded, that he determined to abdicate his episcopal jurisdiction, and to retire into private life, the account of which is very briefly given by Burnet, who says—"Sharp, and his instruments, took occasion from this to complain, that the church was ruined by Leighton's means, and I wanted not my share in the charge; and, indeed, the remissness of the government was such, that *there was just cause of complaint*. Great numbers met in the fields. Men went to those meetings *with such arms as they had*. And we were blamed for all this. It was said that things went on so far beyond what a principle of moderation could suggest, that we did certainly design to ruin and overturn the constitution. Leighton, upon all this, concluded he could do no good on either side: he had gained no ground on the presbyterians, and was suspected and hated by the episcopal party. So he resolved to retire from all public employments, and to spend the rest of his days in a corner, far from noise and business, and to give himself wholly to prayer and meditation, since he saw he could not carry on his great designs of healing and *reforming* the church, on which he had set his heart¹." Burnet offered many most just and excellent arguments for his continuing at his post; and he might have added the decision of our blessed Lord, but which was not more applicable to bishop Leighton than it was to the harassed and persecuted clergy of the diocese of Glasgow, who, unable to bear the cross of persecution, resigned their cures: "And Jesus said unto him, No man, having put his hand to the plough, *and looking back*, is fit for the kingdom [church] of God²."

THE BISHOP of Dumblane, finding his authority as commendator in the diocese of Glasgow but weak, induced the chapter of that see to elect him their archbishop, but the king would not ratify it. This disgusted him, and so he determined to resign. He therefore repaired to court, and there tendered to Lauderdale the resignation of his dignities. At first the duke absolutely refused to accept his resignation; but seeing the bishop resolute, he at last consented to lay the case before the king, and to obtain his consent for his retirement at the expiration of one year, if he should not change his mind in the interval. He did so, and the following is a copy of the king's letter:—"CHARLES R. It is our will and pleasure that the present archbishop of Glasgow do continue in that station for one whole year; and we shall allow liberty to him to retire

¹ Own Times, i. 623.² St. Luke, ix. 62.

from thence at the end of that time.—Given at our court at Whitehall, the 9th day of August, 1673, and of our reign the twenty-fifth year. By his majesty's command¹." So Leighton was pleased with this appearance of a termination to the active duties of his apostolic office, and remarked to Burnet, "that there was now but one uneasy stage between him and rest, and he would wrestle through it the best way he could²." The good bishop seems to have been the victim of morbid sensibility and indolence, and appears to have been unable to bear that cross which he recommended to the clergy of the diocese of Glasgow when they were suffering the real evils of personal assaults and the loss of their property.

BISHOP LEIGHTON was altogether unfitted for the see of Glasgow, even if he had acquired it in a canonical way, from his easy, unsuspicious disposition; and he could not have managed the fiery covenanters already fixed in his diocese without the assistance of bishop Hamilton. On the 1st of September, 1673, he wrote to the bishop of Galloway, as follows:—

"MY LORD,—Being remanded back to this station for a little time, I desired the enclosed, though I have found your lordship very ready to assist me upon such occasions as this relates to; because if they shall frequently occur, as possibly they may, it might seem not so regular and warrantable to trouble you with them, without this signification of his majesty's pleasure, which will sufficiently excuse and justify us both in these instances. But at meeting, I may, God willing, give you a fuller account of the business, and the reason that caused such a thing to be desired, by, my lord,

"Your lordship's affectionate brother, &c.

(Signed)

"RO. LEIGHTON."

IN THIS LETTER he enclosed one from the duke of Lauderdale to the bishop of Galloway, requesting his lordship to assist bishop Leighton in "trying the spirits" of those who wished to enter to the ministry. It is dated Whitehall, the 9th of August, 1673:—

"MY LORD,—I am commanded to show you that, because of the large extent, and the many difficult affairs of the diocese of Glasgow, it is his majesty's pleasure that you give all the

¹ Pearson's *Life of Leighton*, i. 108.

² Bower's *History of the University of Edinburgh*, cited in Pearson's *Life of Archbishop Leighton*, i. 110-11.

assistance you can to the present archbishop in the ordination of intrants to the ministry, and any other business relating to that diocese wherein you may be helpful to him.

"I am, your lordship's humble servant,

"LAUDERDALE."

BISHOP LEIGHTON was not unconscious of his own failing, and therefore was glad to accept the assistance of bishop Hamilton; whose biographer says, "Had the above archbishop known men as well as he did books, there had been little need for these letters: he was a very learned man, really pious, and knew nothing of the knave; so that the hypocrite of ordinary letters, from whatever quarter, with a dejecting whining countenance, and a large pretence to piety, seldom went away without his designs. But not so with the bishop of Galloway: he had been the butt of their malice too long not to know where the poisonous schismatical trash lay. Therefore they were obliged to produce better testimonies, and endure more strict examination. This the archbishop knew very well to be his [own] failing, and had no design at all to return to Glasgow, neither would he, if he had not got this letter for the bishop of Galloway's assistance, with a promise of no long stay—so weary was this good soul of that country, and of the obstinacy in it; yet he abode until he heard of our good bishop [Hamilton's] death, upon which he immediately laid down his charge, and went to London¹."

ONE OF THOSE ministers who had conformed in hypocrisy at the Restoration, and retained his living at Alva, in the presbytery of Stirling, and diocese of Dunkeld, began to show symptoms of disaffection, by discontinuing his attendance at the meetings of presbytery and the diocesan synods. By directions of the presbytery, the clerk wrote to him on the 7th of August, 1673:—

"REVEREND SIR,—Ye being absent yesterday, on whom the addition lay, notwithstanding the presbytery was informed that ye was in the town the night before, and have been several days absent from the presbytery formerly, the presbytery hath appointed you the exercise the next day [of meeting], and that upon Coloss. ii. 12; and have ordained me, their clerk, to advertise you thereof, and of the diet of the presbytery, which is yesterday come twenty days, or the twentieth and sixth of August instant: with certification, if you do not keep

¹ Account of the Familie of Hamilton, of Broomhill, pp. 59, 60.

the said diet, or give not a reasonable excuse for your absence, the presbytery will take such course, because of your contumacy, as is incumbent. Thus much from, sir, your humble servant,
 Mr. ALEXANDER MURRAY, Pr. Clerk."

MR. FORRESTER, however, had made up his mind to the honour of martyrdom, and, instead of attending the presbytery, and preaching according to his rotation and appointment, he sent a letter, dated on the day of their meeting, addressed to the moderator, in which, among other things, he says—"Upon some search into the controversy of church government, I have for a considerable time entertained the persuasion of the unlawfulness of the prelatic frame, as contrary unto the prescriptions in point of government set down in the word." His letter shews how much the presbyterian martyrs were governed by the love of "filthy lucre" when, holding such sentiments, disavowing the jurisdiction of his bishop and the fellowship of his brethren, he could still keep possession of his benefice while disobeying all the conditions on which he had received it. Had he been actuated by a right spirit, he would have resigned it.

1674.—PARLIAMENT was still further prorogued on the 25th of January, to the following March. The king desired Hamilton and Tweeddale to come up to London, and give him a true account of the state of affairs; but this could not be done, with a due regard to their own safety, on account of the statute of leasing-making. An anonymous letter, however, was put into the king's hand, containing their sentiments. In it they requested that a new commissioner might be appointed for the next session of parliament, but that the duke of Lauderdale might hold his places of president of the council, commissioner of the treasury, and have a full pardon. They recommended that the new commissioner should be empowered to redress all grievances, both civil and ecclesiastical, and that a general act of oblivion and indemnity should pass. To counteract the combination against him, Lauderdale suddenly attached himself to the presbyterians, and became intimate with some of their patrons; and Burnet, who was now at feud with him, says, that he connived at the presbyterians, in their insolent contempt of the laws; and allowed them to take possession of one of the principal churches in Edinburgh¹.

BEFORE LAUDERDALE left Scotland he published an act of grace or indemnity from the king upon the 24th of March, in

¹ Own Times, ii. 44.

which he remitted generally all impositions whatsoever, due, or imposed upon the kingdom at any time before the king's happy restoration; and wherein all accessions to conventicles previous to that date were pardoned. It was proclaimed with great solemnity at the crosses of all the burghs by their magistrates in their robes. The effect of this indemnity, Kirkton admits, was rather considered an *encouragement for the future*, than a remission for the past: "and from that day forward, the truth was, Scotland *broke loose* with conventicles of all sorts, in houses, fields, and vacant churches: house-conventicles were not noticed, the field-conventicles blinded the eyes of our statesmen so much. So in different places, they fixed so many posts in the fields, mosses, mures, and mountains, where multitudes gathered almost every sabbath, till the time of the defeat at Bothwell-bridge¹." And Wodrow shews the gratitude of his party by calling this act of grace "illegal and injurious;" and adds, "It is plain this favour is cramped, and not at all full; however, the common people in Scotland looked upon it as an *encouragement* as to the time to come, as well as a remission for what was past, in their following conventicles; and it may be *the duke designed somewhat of this by it*. It was confidently talked [the sort of authority on which he always relied] that his grace, before he left Edinburgh, did *secretly encourage* conventicles, and promised presbyterian ministers a full and ample liberty without restrictions and exceptions; and this [report, whether true or false,] was the real spring of their taking so much liberty this year. And yet when he got up to the king the blame of them was laid upon the other party, who stood by duke Hamilton; and letter upon the back of letter was sent to the council to bear them down²."

AFTER THE adjournment of parliament, Wodrow informs us "presbyterians took a little liberty to preach and hear the gospel in places where the indulgence did not reach, as what they considered both a civil and religious right, and it was thought that none of the contending [political] parties were much dissatisfied with their increase³." He says that a considerable part of the kingdom was filled with conventicles, both in houses and in fields; but he adds, "ministers were not so fond of the fields as to refuse invitations to vacant churches from the heritors and people concerned." Conventicles were not necessary in the west, because the indulged ministers "supplied" the presbyterians "with sermon;" but the episco-

¹ Kirkton's History, p. 343.

² Wodrow's History, ii. 267.

³ History, ii. 233.

pallians in these indulged parishes were deprived of all the means of grace. Their anxiety, however, is so great to fix upon their readers the impression that the whole kingdom was filled only with presbyterians, that no author of that party ever appears to think that the episcopalians might have conscientious scruples against presbytery, and their oppression is never once alluded to. Wodrow admits that "in *many* parts of the *north* there were but few favourers of presbyterians; but if he had spoken accurately he would have said there were *none* in the north who inclined that way; hence the quietness and peace that reigned beyond the Tay.

ABOUT THE beginning of February, James Mitchel, whom presbyterian authors call "a pious and exemplary youth," was arrested for his former attempt to murder archbishop Sharp in the street, when the bishop of Orkney was severely wounded. The "pious youth" escaped at that time, and went to Holland, where he remained for some time. After his return, he married, and occupied a small shop close to the door of the archbishop's house. The primate had often remarked him as he passed, and at last became alarmed at his menacing looks and gestures, for Mitchel always presented himself in this manner whenever the archbishop either entered or left his own door. On that fearful occasion when he first saw him his features had made such an impression, that he had never forgotten them; at first he thought the man's face was familiar to him, and at last his menacing and extraordinary manner excited a suspicion that he must be the pious person who had formerly attempted his life. He communicated his suspicions to his brother, sir William Sharp, who, with the concurrence of the privy council, arrested him, and on his examination it was found that he was armed with a pistol loaded with three balls, and that he was only waiting for an opportunity to discharge it at the primate¹. He was examined on the 10th of February, before a *committee* of the council, consisting of the lord chancellor, the lord register, the lord advocate, and lord Hatton, the latter of whom says, "he stiffly denied the assassination; but being taken apart by the chancellor, upon assurance of his life, he fell upon his knees, and confessed it was he who shot the bishop of Orkney, but that he aimed at the archbishop. The double of the confession, signed by him and us, is here enclosed. I think his punishment will be the loss of his hand, and perpetual imprisonment in the Bass." He was again examined on the 12th of the same month, before the whole

¹ Scots Worthies, 304.

privy council, and lord Hatton says, in another letter, he was this day "examined again in face of the council, and said nothing but what he said to us in the committee. He is remitted to the justice court to receive his indictment and sentence, to have his right hand cut off at the cross of Edinburgh, and the forfeiture of his whole goods and property. This last part is not to be put in execution till his majesty be acquainted, because assurance of life was given him upon his confession¹." In the interval some legal adviser had assured him that as there were no witnesses to prove the assault, he ought now to retract his confession, and to challenge the court to prove by evidence that he had fired the pistol, which, as they could not do, he must be acquitted. When brought again before the privy council, on the 12th, he therefore peremptorily retracted his confession, "denied his libel, and offered himself to probation, knowing it could not be proven, being advised not to lay too much weight upon the assurance of life given him." To this he stubbornly adhered; and then the privy council declared that they also *withdrew* their conditional promise of sparing his life, and his trial was appointed for the 25th of March. On the same day they made the following minute of council, which, although given by Wodrow, yet I copied from the manuscript books of council, kept in the Register-office, Edinburgh. It is dated 12th of March, 1674.

"THE LORD COMMISSIONER his grace, and lords of his majesty's privy council, having appointed a *committee* of the council to examine Mr. James Mitchel, prisoner in the tolbooth of Edinburgh, the said Mr. James being brought before the said committee, did make a free and voluntary confession of his accession to the rebellion and rising in arms, in the west; and that after he had notice of the same, he went from Edinburgh with colonel Wallace to Kyle, and joined with the rebels there, and from thence came alongst and was with them until the night before the fight at Pentland Hills; and that at the desire of captain Arnot he returned thence to Edinburgh, to speak with some persons the same evening there. And being examined upon the attempt on the archbishop of St. Andrews, and who shot the pistol at the archbishop when the bishop of Orkney was hurt, in the month of July, 1668, he did declare that at that time, and the day that the said attempt was made, he was in the town of Edinburgh, and that he bought the pistol which he had about him, charged with three balls, when he was apprehended, about that time the bishop was shot,

¹ Wodrow's History, ii. 248-249.

from Alexander Logan, dagmaker, in Leithwynd: but refused that he was the person that made the said attempt. But having retired apart with *one of the said committee*, he did there confess upon his knees he was the person, upon assurance given him by one of the committee as to his life, who had warrant from the lord commissioner and council to give the same. And did thereafter freely confess before all the lords that were upon the said committee, that [he] shot the said pistol at the said archbishop, and did subscribe his confession in presence of the said committee, which is also subscribed by them. And thereafter the said Mr. James, in presence of the lord commissioner, his grace, and council, did renew and adhere to the said confession. Also as to his accession to the rebellion and attempt aforesaid, and acknowledged he made the said attempt, because he thought that the archbishop had a hand in troubling and prosecuting those that were in the rebellion. And nevertheless, being brought before the lords commissioners of justiciary, and asked if he did avow that confession aforesaid, he did altogether *refuse to answer*, and to adhere to his said confession, notwithstanding he was told by the lords commissioners of justiciary and his majesty's advocate, that *if he would adhere to his said confessions, that he should have the benefit of the said assurance, and if otherways, he should LOSE the same*. Therefore the lord commissioner his grace, and lords of his majesty's privy council, do declare that they *are free*, and that the said Mr. James *ought not to have the benefit* of any such promise or assurance, and that the same is altogether *void*, and that the lords of justiciary and assize ought to proceed without any respect to the same. And further do declare, that the said Mr. James Mitchel is the person intended and named in the proclamation in the years 1666 and 1667, discharging any intercommuning with the rebels therein mentioned, and excepting the said Mr. James and the other persons therein from his majesty's favour and indemnity, and no other [is meant] under the name of Mr. James Mitchel, though there had been any other of that name involved in the said rebellion¹.

"FORASMUCH, as Mr. James Mitchel is now imprisoned in the tolbooth of Edinburgh, as guilty of being in the late rebellion, in anno 1666, and attempting the assassination of the archbishop of St. Andrews, by shooting of a pistol, wherewith the bishop of Orkney was wounded. Therefore the lord commissioner his grace, and lords of his majesty's privy council, do remit the said Mr. James Mitchel, to the commissioners of

¹ Act Mr. James Mitchel, Regist. Secreti Concilii.

his majesty's justiciary, to be proceeded against for the said crimes according to law ; and grant authority and warrant to his majesty's advocate, to raise an indictment against him for the said crimes, before the lord commissioner, and to process and pursue him thereupon¹."

MITCHEL was brought before the justiciary court on the 25th of March, and still persisted in retracting and denying the confession which he had made on his first examination before the committee of council ; and, says Wodrow, "there being *no probation* besides his foresaid confession, *now retracted*, the lords of justiciary, with consent of sir John Nesbit, his majesty's advocate, "who was himself a presbyterian," desert the diet, that is, postponed the trial ; and Mr. Mitchel, after continuing some time in prison, is sent to the Bass, and his business is still put off from time to time until January, 1678²." Crookshanks says, "he wrote a large letter from prison to a friend, *vindicating his practice*, and *owning the principles* upon which he went !"³

THE KING sent Hamilton and the other noblemen home, and referred all the grievances of which they complained to the meeting of parliament in March ; but before their arrival, Lauderdale adjourned the parliament till October, and soon after returned to London. Immediately after his departure the itinerant preachers began to hold field conventicles everywhere, and Mess John Welsh kept several in the county of Fife ; and it was circulated among the attendants on these meetings that the duchess of Lauderdale had promised that the duke should wink at them. Welsh entered any church that happened to be vacant in the county, and collected congregations, and Wodrow asserts, but which is not credible, that the archbishop of St. Andrews "was an eye-witness" to his preaching in Wilmot Chapel to a great crowd⁴. - The council issued a proclamation against the field conventicles and *invasions upon MINISTERS and pulpits* ; and they ordered all conventicle preachers to be apprehended, but particularly Welsh and Semple, who were ringleaders of the party. But, according to the natural disposition of the covenanters, the indulged ministers, although strictly confined to their parishes, went out of them to hold field conventicles in several distant places. William Weir, George Johnston, and some other outed minis-

Act Mr. James Mitchel, Regist. Secreti Concilii, anno 1674, folio 55.
Scots Worthies, 306.—Wodrow's History, ii. 252. ³ History, i. 362.
History, ii. 235.

ers, broke open the Magdalen Chapel in the Cowgate, and preached, or held what was counted in law a conventicle there, and for which the city was fined £100 Scots. Fines were imposed on a great many of the gentry and burghesses in Fife, for transgressing acts of parliament in allowing conventicles to be held on their lands, or for having been present at them, and some were imprisoned till the fines were paid¹. But Law, an indulged minister, says, "None of them were set at liberty until they had fully paid their fines; and yet some of them declared that *if they would have taken the oath of supremacy*, they would have been set at liberty *without a fine*!"²

YET so antichristian is the spirit of the covenant, that the genuine presbyterian would not accept remission upon the terms of what their natural duty required of them; and for which they had the example of all the holy prophets and apostles that have been since the world began, especially Samuel and Daniel among the prophets, and St. Paul amongst the glorious company of the apostles. The former, who had been God's deputy-governor and judge over Israel, set the first example to the people, of submission to Saul the Lord's anointed, who then became the supreme judge over all estates and conditions of men. But Samuel went farther, for he passed his whole official conduct in review before his sovereign, even previous to his having been chosen of God, which shews the plenary power of lawful sovereigns. Daniel said, "O king, live for ever," to a heathen monarch; and St. Paul commanded the apostle Timothy to make "supplications, prayers, intercessions, and giving of thanks for all men; for *kings and for all that are in authority*"³. Yet there was neither a christian nor a *covenanted* king (as Charles was) in existence in St. Paul's time!"

THE ARCHBISHOP of St. Andrews and his diocesan synod made a representation to the privy council, on the 29th of April, of the increasing disorders in the church, particularly in that diocese, from "the implacable enmity of some persons against the order and peace of the church (the roughness and rancour of whose spirit does condemn all the lenities that are used for the smoothing and sweetening of it) have presumed to abuse the mercy and indulgence of our sovereign, unto the acting of all high insolencies against the worship and public service of God, his ministers who serve at his altar, and the discipline He has instituted, as ever have been suf-

¹ Memoirs of the History of Scotland, pp. 272-73.

² Memorials, p. 66, cited by editor of Wodrow, ii. 238.

³ 1 Sam. xii. 1.—1 Tim. ii. 1, 2.

fered by any who have lived under the direction of good and wholesome laws, and the bounty and mercy of so gracious a prince." The evils of which they complain are enumerated in the same document:—1. The growth and increase of popery, and the defection of some to quakerism. 2. The open and almost avowed contempt that is cast upon the public and solemn worship of God . . . and by a frequent and open assembling by multitudes in the fields and private houses . . . by the licentiousness of persons openly profane, which may be and are encouraged by this example, by the unheard-of *intrusion* into and *invading* the pulpits of the godly and orderly ministers of this church, and by the barbarous profanation of places dedicated to the service of God. 3. The travelling of multitudes of people on the Lord's day to conventicles at a great distance. "This being the sad posture and state of affairs that this church is in, we do hereby, and by your grace's mediation and earnest intercession, beg that the lords of his majesty's privy council would be pleased to examine the truth of the particulars above mentioned, and proceed accordingly against the course and torrent of these abuses as they in wisdom judge most convenient, to remove the danger that the protestant religion is in of being, as it were, a deluge of error, schism, profanity, and atheism, and to vindicate the authority and honour of our ministers from the *fury and barbarity* of those whose actings declare them *implacable* toward *our persons*, and *unreconcilable* unto the peace and order of this church, that we may be succoured in our stations so as to behave in all the conduct of our affairs as it may never repent his majesty or their lordships of the favour and protection they have graciously granted unto us and *the afflicted church* whereof we are ministers and members¹."

IN A ROYAL letter to the council, dated the 23d of June, the king notices the continued rebellion of the covenanters in keeping these unlawful conventicles, and says, "We did, by our proclamation in March last, grant a most full, free, and general pardon of all penal statutes, which we did extend so far towards the breach of penal laws relating to church matters, that we at least expected *more moderation* and temper, and patient waiting for our grant of further ease towards peaceable dissenters; but instead thereof, we find that a *desperate and implacable party* have taken the boldness to rise to greater height of insolence by invading of churches, keeping

¹ Cited by Dr. M'Crie, in Appendix, in his edition of the *Memoirs of William Veitch and George Bryson*, pp. 505—507.

of seditious and numerous field conventicles, tumultuous and irregular petitions, and that in open contempt of our authority, as if it were to brave us. . . . Of these disorders we had a full and particular account, though it was not by any solemn address (. . .), and upon the true account we had of them we wrote our positive commands that you should use our utmost authority for vigorously suppressing and punishing the ringleaders of these insolent seditious practices. . . . For the better encouragement of our good subjects, we have given orders for divers companies and troops of our protestant subjects of Ireland to be drawn down to the sea-side in Ulster, ready to receive our further commands ; we have also ordered troops to march towards Berwick, to be ready if there shall be occasion. . . . We know that the ringleaders of these late rebellious and seditious courses are enemies to the church government established in Scotland by law, *and yet it is not for their OPINIONS but for their TRAITOROUS PRACTICES that we intend to punish them.* We hope that the greatest part of the dissenters from the church government are far from the countenancing such practices, and if those other had *forborne those ways of violence and sedition*, the peaceably inclined had found the effects of our grace and clemency before this time ; but we will not endure a seeming force to be put upon us. The whole kingdom shall see that it is not seditious and tumultuary attempts, but only our own grace and goodness, that can move us to any indulgence. Let the ringleaders of these disorders, which look too like rebellion, be once brought to punishment, and that seditious spirit quelled, and then these that are and will be peaceable shall quickly find how gracious we are to indulge as far as may consist with preserving the present government, and may not tend to the perpetuating of the schism. These our intentions we thought fit to declare to you, to the end you may *make them known* in such ways as you shall judge most convenient, for *undeceiving the simple*, and *preventing the peaceable* from running into the same guilt with those who are desperate and implacable¹."

OF THIS GRACIOUS letter, which was certainly intended to be a merciful warning to the "simple" and the "peaceable," neither Dr. Cook nor Hetherington take any notice ; and whether it arose from the king himself, or was prompted by Lauderdale, its object was mercifully to *prevent* the ignorant and unwary from being deceived by the crafty leaders of those seditious meetings which at last ripened into open rebellion.

¹ Cited in Wodrow, ii. 238-39.

The council immediately appointed a committee to attend solely to the suppression of conventicles, and gave orders to the commanders of the forces to suppress them wherever they might collect, and to seize the preachers, but especially Welsh, who had been forfeited some time before. A military party had been sent to disperse a conventicle which met near the Lomonds of Fife, and which made a considerable resistance to his majesty's troops, but who captured four of the inferior actors. These were examined by the committee, with the view of ascertaining who were the preachers and who authorized the resistance to be made; but nothing could be elicited from them tending to criminate any one. The council was at a loss to know how to act in order to preserve the peace, and support the majesty of the law; and therefore ordered, by proclamation, the masters of families to be answerable for their servants, and heritors for their tenants, or otherwise declaring masters and heritors liable for the fines which might be incurred by their servants and tenants. They also ordered inquiry to be made into a riotous assemblage of women of a respectable rank in society, that had presented a petition to the council.

ON THE 4th of June several hundred women had collected in the parliament close or square, for the purpose of presenting a petition to the council, which was to meet that day, in favour of some presbyterian ministers. The archbishop of St. Andrews and the lord chancellor came together into the close, and were immediately surrounded by the amazons, some of whom had "conspired to *set upon*," that is, to murder, the archbishop; and Johnston of Warriston's daughter, bishop Burnet's cousin, rushed upon him, and seizing him by the throat exclaimed, "Judas, ere all was done, his neck behoved to pay for it." She also waved her hand as a signal for the others, but the chancellor "entertained the women with insinuating speeches all the time as he passed to the council, and did divert that *bloody design*." The archbishop effected his entrance without farther injury, and Mrs. Livingstone, the widow of that godly man who was over righteous to sail in the same ship with the king from Holland, presented their petition to the lord chancellor, who received it graciously, read it, and jested with the petitioners¹. After he had effected his entrance, the council voted the petition criminal, and about a dozen of the women were called in, who severally declared that no man had any hand in it, "but that they were moved

¹ Memoirs of the History of Scotland, 273.

with the sense of their perishing condition for want of the gospel, having none to preach to them but ignorant and profane men, whom they could not hear." Mrs. Johnstone and three or four more were imprisoned and afterwards banished from the city of Edinburgh¹.

FROM THE extreme difficulty of procuring evidence from the frequenters of conventicles against the preachers and political chiefs who attended them, the council wrote to the king, that "besides conventicling, there was a concurrence of other crimes and circumstances of a high nature; as coming to their meetings *in arms*, and, by way of convocation, the hearing and not revealing of seditious expressions against his majesty and the government, the intercommuning and resetting of declared rebels and traitors, forfeited and excepted out of his majesty's gracious declaration of pardon, or declared fugitives before the justices, as Mr. John Welsh and Mr. Gabriel Semple." They advised his majesty to authorise them to cite suspected persons, or those against whom informations might be laid, before the council, "to give their oaths thereupon, with certification they shall be holden as confessed," and to warrant the lord advocate to restrict the capital punishment which the act of parliament imposed to an arbitrary sentence. To this his majesty agreed, and the proposal of the council was turned into an act, and published on the 18th of July².

THE ILLEGAL conventicles still went on, and on the 9th July the council passed a decree against fifty persons for attending these meetings in the county of Fife; the whole odium of which is laid upon the primate, "and those rigorous courses and others afterwards ripened matters for his fatal end." Conventicles were held in Glasgow by Andrew Morton and Donald Cargill, the latter of whom, though notoriously breaking the law, said "he had always followed holiness and taught the truth³." Welsh, Semple, Arnot, and Rae, held a conventicle at Torwood. Forty-two of these wandering stars, some of whom were indulged ministers, were summoned by proclamation, because they had no regular places of abode, but lived amongst their adherents, to appear before the council, for holding field conventicles, and for invading and usurping divers churches and pulpits, of which seven are named; but none of them appeared to answer their citation, and therefore they were denounced his majesty's rebels, and put to the horn—that is, outlawed—and their moveables es-

Crookshank's History, i. 356.

² Wodrow's History, ii. 241-42.

³ Cloud of Witnesses, p. 1.

(cheated to the king¹; but, observes Wodrow, "I dare say neither he nor his courtiers would be much enriched by them." Welsh, Semple, and some other attainted traitors, had no places of abode, but traversed the country on horseback, with guards mounted and armed to the number of sixteen, and therefore they had no moveables to lose, and their partizans protected and concealed them, so that the council could never accomplish their arrest. Previous to the long vacation, a commission was given to several noblemen to watch the proceedings of the field meetings, with power to act in the place of the privy council; and among their instructions, they are directed to call before them such of the indulged ministers as had *broken their confinement*, and held field conventicles in other parishes. It appears that concessions and indulgences made no impression on the minds of the ministers of the covenant; although the object of the indulgence, and the conditions on which it was granted, was total abstinence from field conventicles; but such was the force of principle, that neither the claims of gratitude nor the terrors of the law could prevent their resistance to every ordinance of man. But even in this matter a sneer at the bishops cannot be omitted, and which shows the animus of the party better, perhaps, than a more elaborate dissertation:—Wodrow observes, "the reader will notice, there are none of the bishops mixed in with them, and it is probable their procedure was not the more severe that it was so: their instructions are more moderate than usual at this time, and since I have no accounts of their severity, there is ground to think more temper hath been kept at this time than we shall meet with afterwards²."

It DOES NOT appear what the presbytery of Stirling did in the matter of Forrester, formerly noticed; but they never called for a paper which he had prepared in his own justification, and proposed to send to the court. In the beginning of this year he advanced a step farther, and held conventicles in the town of Stirling, where he was arrested by the magistrates, and sent to Edinburgh on the 19th of February, and committed to prison, where he remained till the 26th of March, when he received the benefit of the king's indemnity, and was set at liberty. As he was perfectly incorrigible, and would neither obey the lawful jurisdiction of his bishop, nor the admonitions of the presbytery of which he was a member, his case came before the annual diocesan synod of Dunkeld, when sentence of deposition was regularly recorded against him, which

¹ Wodrow, ii. 243-44.

² Wodrow's History, ii. 246.

was duly intimated to him by a messenger-at-arms, and a copy of it affixed to his church door¹. A copy of the sentence was delivered to Forrester, and along with it the instrument of ratification by bishop Guthry.

THE PARTY produced this as a case of "suffering," "persecution," and even "martyrdom;" and Forrester himself says, this decision of their "mock synod is found freighted with lies, calumnies, virulent, insolent railings, swelling words of vanity, *et præterea nihil*; more of which in lesser bounds could hardly be compressed." This, however, is only one instance out of the disaffected dioceses, but which, having been vigorously and promptly met, prevented the example from spreading; and had the archbishop of Glasgow and his suffragans acted at first with the same firmness as bishop Guthry did, they might have had less trouble with the presbyterian recusants in their dioceses. If the parliament had met, the bishops intended to have presented a strong protest against the Indulgence, and the proceedings of the presbyterians; but its prorogation set that aside for the time. Wodrow ingenuously confesses that "matter was *not indeed wanting* for what the prelates and their party reckon grievances. At this time, and since the

¹ *Dunkeld, April 29, 1674.*—Whilk day the moderator and remanent brethren of the diocesan synod of Dunkeld, taking to their serious consideration the contumacious, disorderly, and schismatical carriage of Mr. Thomas Forrester, minister at Alva, in absenting himself of a long time from the meetings of this synod, and from the meetings of the presbytery of Stirling, whereof he is a member, and under his hand, in a letter to the said presbytery, disowning all our church judicatories, and declaring them to be unlawful, and their exercise of government and discipline to be erastian, and that the politic form of government is contrary to many oaths, vows, and engagements which he is persuaded are binding upon the nations and posterity, which is contrary to his engagements at his ordination, extant with us; and withal, considering his unchristian and unnatural forsaking his flock, and deserting his duty among them these seven months by past, and that he seditiously and schismatically preacheth at conventicles within the bounds of other men's charges, contrary to the laws of God, and to the warrantable laws, both civil and ecclesiastic, of this church and kingdom; for which seditious and wicked practices he has already been apprehended and imprisoned by the civil magistrates, and being formerly cited to appear at the meeting of our synod in October last, as also legally summoned to compare before this synod at this diet, and being often called and not comparing, therefore the moderator and brethren of the synod, moved with zeal to the glory of God, and care to suppress schism and to promote the success of the gospel of Christ and the peace of the church, and to discountenance division and disorderly walking, and out of pity of that poor people now of a long time deserted by him, and left to starve and stray, and become a prey to the devil and his instruments, Do by these presents simply ~~remove~~ the said Mr. Thomas Forrester from the exercise of all parts of the holy function of the ministry of the gospel, and declare the church of Alva, in which he formerly served, to be now vacant; and ordain this our sentence to be intimated.

Mr. G. HALLIBURTON, Moderator.
Mr. HENRY MALCOM, Clerk.

last Indulgence, *conventicles did grow insensibly*; and although the design of the favour was to divide presbyterians, yet the very name of an indulgence and favour was some encouragement, and therefore the bishops fretted at all indulgences¹. Many petitions or complaints were drawn up, but Wodrow was only able to procure that of the synod of Glasgow, which being the chief scene of the presbyterian lawlessness, is the most important: and he confesses that it contains several *matters of fact* with which he had not met elsewhere. So that, in confirmation of the solemn asseveration of the diocesan synod and the commendator of Glasgow, we have also the unwilling, and therefore credible, testimony of one of the calumniators of the church and clergy of Scotland, to the truth of the persecution which the established episcopal church experienced at that time.

1. THAT THE CONVENTICLES still abound more publicly and avowedly, notwithstanding of all the acts and laws made against them; and these are kept both by men that are *indulged* and others who are not; yea, some who never entered upon trials before any church judicatory; viz. in Glasgow, by Messieurs Morton, Law, Barton, Maxwell, Cargill, Bell, Burnet, M'Lean, Wilson, and others, *all indulged and confined to other places*, yet residing within the town of Glasgow; and Alexander Jamieson, late minister of Govan, who keeps conventicles every Lord's day at Haggs, within the parish of Govan; also, by Maxwell the younger, Crawford, Wodrow [the historian's father], Gilchrist, Corbett, and others resident in Glasgow, who never passed their trials in order to preaching [and therefore were never ordained]: also, in Paisley, presbytery conventicles are kept in Eastwood by Hugh Smith, formerly minister there, who hath settled himself beside the church of Eastwood, and constituted elders, administers sacraments, and performs all ministerial offices: also in the parish of Killellan, James Wallace, who kept still conventicles there till the indulged minister came in, and has now laid in his provision at Inchinnan, where he was some time minister, notwithstanding he was confined to Neilston, and labours by all means to break the ministry of the present incumbent there. In the presbytery of Ayr, Mr. John Osborn, every Lord's day, keeps conventicles at Enterkin's house in Tarbolton, though he be confined to Dundonald; and by Mr. Anthony Schaw, at Knockdallen's house, at Calmonell; he adventured also lately to preach at the church of Ballantrae, though he be confined

¹ History of the Sufferings, ii. 263.

to Paisley: also, in the presbytery of Dumbarton, conventicles are kept by Thomas Melville, in the parish of Kilpatrick Easter, by Smith, Dickson, Law, and Crawford. Mr. James Hogg, at Amonack, in the parish of Kippen, goes about baptizing, administering the Lord's supper, through all the bounds of the neighbouring parishes of the presbytery of Dumbarton. In the presbytery of Lanark, conventicles are kept by James Greig, at Boghall, though confined to Carstairs; by Patrick Anderson, at the same place, though confined to Long Dreg-horn; and by John Menzies, some time conform minister at Carlawerock, at Crawford Lindsay.

2. INDULGED BRETHREN keep not the rules given by the council, but travel through the country, baptize, catechise, marry, administer the sacrament of the Lord's Supper to the people of our charge, without testimonials from us, and some of them baptize all the children of neighbouring congregations; as in Tarbolton and Barnwell, Hutchison, Campbell, and Veitch; as also those who officiate at Eaglesham, Paisley, and Hutchison of Killellan, Simson at Kilmacom, and Stirling at Kilbarchan. And Messrs. Law, Baird, and Eccles, baptize children and marry persons from the presbytery of Dumbarton; Messrs. Murray at Coulter, Crawford and Bailly at Lamington, Hamilton at Carmichael, Miller at Ochiltree, Reid at Muirkirk, Stevenson at Dalmellington: these two last are continued in their charges by connivance.—3. There are some conventiclers have erected preaching-houses; viz. at Glasgow, the house of Mr. Blackwell, the calenderer, some time hired soldier to Cromwell; Mr. Drew, in the said city; in the barony parish, and in Newton, in Gabriel Thomson's; and another in Kippock, in John Baxter's house.—4. A conventicle lately kept at Kilsyth, in Thomas Russell's house, where the *preacher cursed the king and his council, and the whole royal family*, saying, David did not sin in cursing his enemies; and therefore neither do we in praying that God *would destroy our king*, and pull him off his throne. He was apprehended, therefore, and some of his hearers gave bond and caution to produce him upon demand.

5. IT IS UNIVERSALLY regretted, that noblemen and gentlemen's sons' governors are ill principled, and abuse the youth, not only withdrawing themselves, but their pupils also, from ordinances; and when they are challenged here at Glasgow, they take away their pupils to Edinburgh and other colleges. The like is done by chaplains, who pervert the families they officiate in.—6. Generally, not only conventiclers, but indulged ministers, preach *sedition, and pray to the same purpose*; and

in their apologies at their entry, avow publicly, that they owe neither to the king, nor to his council, their entry to their charges; as Mr. Nasmyth at Glasford, Mr. Stirling at Kilbarchan, Mr. Wallace at Largs, and others.—7. Heritors and elders generally refuse to join with the *conform* ministers in administering discipline and collecting for the poor.—8. Quakers do generally abound in Wester Leinzie, and have meetings every Lord's day both there and at Glassford, and other places.—9. Diets of catechising are not kept, but generally slighted: ministers in their visits to the sick are not admitted, and offering to examine are denied; and that even by some, who, out of the example of the recusancy of others, *are worn atheistical*, and disown ordinances altogether.—10. Sheriffs, baillies, magistrates of burghs, when desired, do not concur to cause scandalous delinquents to give obedience to church discipline.—11. Suspensions are frequently granted after hornings given for the payment of ministers' stipends, without consignation; as in the case of the minister of Dalrymple.—12. That fabrics of churches are like to go to ruin, unless heritors be obliged to see timeously to it.—13. That the church of Barnwell is ordered to be suppressed, by a decret of the commission for the plantation of churches, without a report of perambulation of the bounds for the conveniency of the people by the bishop and presbytery, or any regard had to the settlement of Mr. Kincaid, present minister there; though he compeared by Mr. John Kincaid, his procurator, and protested to the contrary, which is not noticed in the extract of the decret, though it was appointed to be done by the commission.—14. That not only the indulged ministers do not preach on the 29th of May, but sundry others unconformed, who have *continued in their places by connivance*, and obeyed the law formerly, this last year have forborne, through the example of the indulged brethren.

15. SEVERAL horrid crimes are committed at conventicles, as *incest, bestiality, murder of children*, in the presbyteries of Ayr and Lanark, besides *frequent adulteries*, and other acts of wickedness, as our registers at more length bear; particularly one who was apprehended and confessed bestiality at Lanark, and was let go without any punishment.—16. And there is nothing more grievous than that papists are daily increasing without control or execution of the law against them, especially in the presbytery of Hamilton, as that register at full length bears.—And to sum up all, we cannot but mourn, and do heartily testify to all the world, but more especially to your lordship, that all laws made heretofore against these,

would not have been so condemned were it not *for the irregular ministers* and multitude with whom we have to do ; so that in the issue they have proven, to the great dishonour of God and our disadvantage, altogether ineffectual, and this only from *a perverse PRINCIPLE of habitual disobedience in the ministers and people*, which, as we wish God to remove, so we heartily pray and beseech your grace to consider¹.

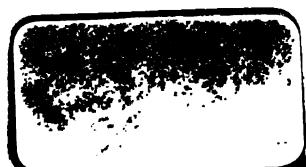
AN INDULGENCE was granted to the presbyterians upon certain conditions, two of which were, that they were not to go beyond the bounds of their parishes, nor to hold field conventicles. The confinement was no doubt arbitrary ; but it would appear the council knew the necessity of such severity, and that this precaution was requisite ; for this petition shows that the greater number of the indulged ministers not only neglected to fulfil the conditions, but that they broke the laws by holding conventicles out of their own parishes. Every check given to the lawless turbulence of the presbyterians is produced as a case of suffering and persecution, upon much the same principle that robbers and murderers might complain of persecution when they are sentenced to be hung or transported for their crimes. The duke of Lauderdale and his government are accused of tyranny, and of exercising arbitrary power ; but let any one judge whether or not any government would have tamely permitted such turbulence. It was no secret that these conventicles were "*rendezvous of rebellion*," where there was fully as much sedition and privy conspiracy discussed as divinity. There may be differences of opinion respecting the manner in which the government endeavoured to prevent or disperse these dangerous politico-theological conventicles, but there can be none with respect to the necessity of restraining the rebellious practices of both the people and the ministers of the covenant. The indulged ministers could have no excuse for holding field conventicles ; for they had parish churches to preach in and to propagate their peculiar tenets, and were altogether exempted from episcopal jurisdiction. But that mystery of iniquity which was consummated in the Revolution, was then working in Holland, and through means of the exiled covenanters, was spreading its venom in Scotland, and preparing for open rebellion as soon as they could find an opportunity. The difficulties of the government, too, have been strangely overlooked ; for neither their acts of conciliation nor of coercion had any effect in subduing the turbulence, nor their liberality, in gaining the affections, of the presbyterians,

¹ Cited by Wodrow, ii. 263-265.

whose sole object was the extirpation of the church, and the recovery of that intolerant supremacy over the royal government that they had exercised with such tyrannical violence during the reign of "Christ's crown and kingdom." Those whose sympathies have all run in favour of the covenanters, have made so much noise, that the just complaints of the peaceable members of the established episcopal church have never been heard; yet it may be easily supposed how great a nuisance these conventicles must have been to them, and how much they were oppressed by having these turbulent indulged ministers forced upon them whenever their parish churches became vacant. Their wishes, or principles, were never once the subject of the least concern to any party; but the contentious obstinacy, and rebellious humours, of the presbyterians, were courted and gratified, which made them become more turbulent and rebellious, instead of inspiring them with gratitude.

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